

BRITISH ENACTMENTS

In Force in Native States

VOLUME V

Orders relating to Railways in Native States

COMPILED BY

J M MACPHERSON

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Government of India, Legislative Department*

SECOND EDITION

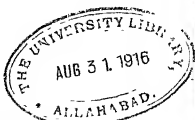
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By A WILLIAMS, LL M., I C S

THIRD EDITION

Further revised and continued up to the 19th April 1913,

By O V. BOSANQUET, C I E, I C S.



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PREFACE TO THE FIRST EDITION.

THESE Volumes contain all the information I have been able to collect concerning the British Enactments in force in the Native States in India.¹

2. The term "British Enactments," as used in these volumes, includes—

- (I) the Enactments made by the British Legislature in exercise of the general jurisdiction which it possesses over its subjects and servants in all Native States, and
- (II) the Enactments made by or under the authority of the British Indian Executive Government in exercise of the special jurisdiction which it has acquired, usually over all persons, in certain Native States or places therein.

3. ²The distinction between these two classes of Enactments has been observed in classifying the British Enactments in force in the Native States dealt with in these volumes, the Enactments in force in each local area having been placed under separate heads according as they belong to one or other of these classes. Enactments which purport to be solely made under the authority of the Legislature, or which appear to be limited to the classes of persons with which the Legislature can deal, have been arranged under one head and styled "British-Indian Enactments"; whilst Enactments which purport to be made, in whole or in part, under the special authority of the Executive Government above described, or which do not appear to be limited to the classes of

¹ *i.e.*, the territories of any Native Prince or Chief under the suzerainty of Her Majesty exercised through the Governor-General of India, or through any Governor or other officer subordinate to the Governor-General of India—see 52 and 53 Vict., cap. 63, s. 18 (5).

² There are certain exceptions to the general rules laid down in this paragraph, which are noticed in the body of the Lists

persons with which the Legislature can deal, have been arranged under a different head, having as its title the name of the particular place for which the Enactments have been made with the word "British" prefixed. Broadly speaking, the "British-Indian Enactments" are personal laws applicable only to British subjects or servants, whilst the other Enactments are territorial laws applicable to all persons in the particular places to which they respectively refer.

4. The minor classification under each of these heads is identical, the Enactments being arranged, as far as possible, in separate lists, as they are of the nature of—

- (1) Principal Enactments, that is, Enactments made under the immediate authority of the Legislature or the Executive Government, consisting of—

A.—Enactments of the Legislature—

- (a) Statutes,
- (b) Acts of the Governor-General in Council¹;

B.—Enactments of the Executive Government—

- (a) Enactments of the British-Indian Legislatures applied,
- (b) Special Laws; or

- (2) Subordinate Enactments, that is, Enactments (Rules and Orders) made under authority conferred in this behalf by Principal Enactments.

5. "Special Laws" are new laws made by the Executive Government for places in which it has acquired special jurisdiction, while "Enactments of the British-Indian Legislatures

¹Strictly speaking, *all* the Enactments of the Legislatures established in this country are Subordinate Enactments, inasmuch as the Indian Legislatures derive their authority solely from Parliamentary Enactments; but for the purposes of these Lists, Acts of the Governor General in Council are classified as on the same footing with Statutes.

applied" are, as their title indicates, existing British-Indian Enactments which have, by order of the Executive Government, been adopted, usually with certain modifications, as laws in such places. Though there is no material distinction between these two kinds of Enactments, it has been found convenient to arrange them in separate groups in these volumes.

6. A general classification of the British Enactments which may be made for the Native States in India, and a detailed classification of the various British Enactments actually in force in the Native States dealt with in each volume, which have been prepared in accordance with the above remarks, will be found in Statements Nos. I and II, prefixed to these volumes (pages xi and xii).

7. The Enactments which the various Native States may have made for their respective territories are beyond the scope of this work.

8. For the convenience of local officers, each volume contains (*see* Part I) the British Enactments in force generally in all Native States in India, as well as the Enactments in force locally in the particular Native States with which it deals.

9. Numerous references to Aitchison's Treaties have been inserted, which will, it is hoped, add to the usefulness of these Lists. The revised edition of 1876 is the one referred to.

10. A short alphabetical index of names of places has been appended for convenience of reference.

11. In compiling the volumes—

(a) Rules and Orders of a temporary nature or conferring powers on persons by name have, as a rule, been omitted; and

(b) Special Laws and Subordinate Enactments, which are not to be found in the Codes published by the Legislative Department, have, as a rule, been set out *in extenso*.

12. Mr. G. R. Ridge of the Legislative Department Office has assisted me in the preparation of these Lists, and Mr. F. G.

Wigley, the Officiating Under Secretary, has kindly undertaken to supervise the passing of the final proof through the Press and the insertion of such Enactments as may be issued after this date

13. Lastly, it must be stated that these volumes are not authoritative, and that the Government of India is in no way responsible for their contents. They have been compiled by me from the Official Gazettes, supplemented by local information obtained through the Foreign Department. Though I have made them as complete and accurate as was possible, having regard to the materials at my disposal and the limited time which I have been at liberty to devote to the work, I am fully conscious of their many defects. At the same time I hope that, notwithstanding their imperfections, the volumes will be found to be of some practical value to Political Officers and others desirous of obtaining information concerning the British Enactments in force in the Native States in India.

J. M. MACPHERSON.

SIMLA,
The 27th October 1890.

In his recent valuable work, "The Protected Native States of India," Mr. Lee-Warner states (see page 366) that if the reader "refers to the official Gazettes of the Indian Government he will find many scores of pages devoted annually to the judicial notifications published by the political offices of the Empire. The law relating to the Native States fills thousands of pages." The object of the work now being brought to completion has been to save the labour and trouble involved in referring to the official Gazettes for these Notifications by supplying information in a classified form as to their contents. Though the work only professes to contain lists of the Notifications in question, it will be found on examination that, except in the case of the two first volumes, which do not, as a rule, reproduce the subordinate Enactments, the whole of each Notification referred to in these volumes is set out *in extenso* either in the last column of the

Lists or in the appendices, so that a reference to the Gazettes, even for the purpose of ascertaining the exact words of a Notification, has been rendered unnecessary. Indeed, if used in conjunction with the "Codes" published by the Legislative Department, which contain the Statutes, Acts, and Regulations mentioned in the Lists, these volumes ought to form a fairly complete handbook to the British Enactments now in force in the Native States of India.

The subject of the relations between the British Government and the Native States of India has of late been brought before the public not only in Mr. Lee-Warner's work above mentioned, but also in Mr. Tupper's no less valuable work, "Our Indian Protectorate." In both these volumes these relations have been treated of chiefly from a politico-historical point of view. In his earlier work, entitled "A Collection of Treaties, Engagements, and Sanads relating to India and neighbouring countries," of which a revised edition has recently been published, Sir Charles Aitchison dealt very fully and comprehensively with the same subject, mainly from the standpoint of our contractual relations towards these States. In these and the previous volumes of this work an attempt has been made to approach this subject from what may be described as its legal or jurisdictional aspect, the object being to show the extent to which British-made law applies to these Native States, and, though these volumes are practically little more than compilations of information which is available to any one who chooses to study the Gazettes, they will perhaps help to throw light on what has hitherto been a somewhat confusing branch of the subject.

J. M. MACPHERSON.

SIMLA;
The 1st January 1895.

PREFACE TO THE SECOND EDITION.

IN preparing for publication the second edition of this work one important alteration has been introduced which, it is hoped, will render it more useful for purposes of reference. In the first edition the Enactments were merely summarized and included in the lists, with the exception of certain special ones, which were reproduced *in extenso* in Appendices: in the present edition, however, all Enactments which have been issued by the Government of India have been reproduced *in extenso*, except in so far as they are to be found in the volumes of General Acts of the Governor-General in Council, or in one of the Provincial Codes. In such cases full references are given: and the chronological lists which formed the basis of the first edition are only retained in a simplified form to serve the purposes of a table or index. In its present form it is hoped that the work may be regarded as a not inadequate supplement to the General Acts of the Governor-General in Council and the Provincial Codes.

2. A general nominal index has been added at the end of the sixth Volume (the Western Indian Volume) for facility of reference.

8. Mr. Macpherson, the Secretary to the Government of India in the Legislative Department, who compiled the first edition, has kindly permitted me to consult him in matters regarding the general scheme of the work, and I have to express my obligations to him for his advice. I have also had the assistance of Mr. Ridge of the Legislative Department Office, who has been most useful in helping to prepare the volumes for Press.

A. WILLIAMS.

SIMLA,

The 15th September 1899.

PREFACE TO THE THIRD EDITION.

IN this, the third, edition of "British Enactments in force in Native States," the system of arrangement has been altered from that adopted by Mr. (now Sir John) Macpherson in the first edition. States in relation with the Government of India, with the Administered Areas situated in them, have been grouped (Volumes I-III) apart from those in relation with Local Governments (Volume IV), while one Volume (V) is devoted to Railways wherever situated. Again orders under Acts applied and under Local Laws have been separated from the rest of the enactments, and form Volumes II and III in the case of the first group of States, and Part II of Volume IV in the case of the second group, and Part II of Volume V in the case of railways. Lastly, for convenience of reference, orders relating to Courts have been entered under a separate sub-head in each chapter in Volumes I, IV, Part I, and V, Part I. In the Appendices have been collected all orders to which there are constant references in the body of the work, or which it is convenient to group together for purposes of comparison, such as orders relating to the appointment of Justices of the Peace, of Marriage Registrars, and of Registrars of Births and Deaths.

Each Volume states the law as in force on the 19th April 1913.

O. V. BOSANQUET

SIMLA,
The 24th April 1913.

VOLUME V.

PART I.

RAILWAYS IN NATIVE STATES.

For purposes of jurisdiction, railways in Native States can be divided into three classes, namely, those on which the Darbars concerned have ceded full sovereignty to the British Government, those on which they have ceded jurisdiction¹ only, and those on which they retain both sovereignty and jurisdiction. The first class consists (with one² exception) of main lines planned previously to 1864 when that form of cession was relinquished, the second of main lines built since that date and the third of local lines, situated as a rule in one State only. The lands of the first class are British territory to which the laws of British India extend as such, those of the second class, while remaining Native State territory are Administered Areas for which jurisdictional arrangements have been made as detailed in this Part, while those of the third class are integral portions of the States in which they are situated and the only British enactments³ in force are those which operate in those States as shown in Volume I or Volume IV as the case may be.

Geographically, the lines can be grouped in the following divisions:—

EASTERN DIVISION

LINES ON WHICH DARBARS HAVE CEDAED FULL SOVEREIGNTY			Lines on which Darbars have ceded jurisdiction only	LINES ON WHICH DARBARS RETAIN BOTH SOVEREIGNTY AND JURISDICTION		
NAME OF RAILWAY		States traversed.		NAME OF RAILWAY.		States traversed
System	Line			System	Line	
East Indian Railway	East Indian Railway Delhi to Calcutta & Branch	Bewa * Bisanda * Panua * Kothi * Sahawal * Nagod * Malhar *	Bengal Doonah Railway— Southern extension Bengal Nagpur Railway— Main line Calcutta extension Outlook extension Kalmati-Gorakhpur Branch	Bengal Nag- pur Railway Eastern Ben- gal Railway	'Mourshanj' * Railway Cooch Behar Railway *	Mohani branch Cooch Behar Dohai *

¹ The form of cession prescribed for this class was —

"I (Chief or Minister of the State) hereby cede to the British Government full and exclusive power and jurisdiction of every kind over the lands in the said State which are, or may hereafter be, occupied by the Railway (including all lands excepted for stations, for out buildings and for other railway purposes) and over all persons and things whatsoever within the said lands."

² The North-Western Railway in Bahawalpur began in 1871

³ A Darbar retaining jurisdiction is required to adopt the provisions of the Indian Railways Act as a State Law, together with the general rules in force in British India for the working of railways

⁴ Proclamations Nos 878 and 879, dated the 31st May 1871, attaching the lands north of Satna to the North-Western (now Indian) Province, and those from Satna southwards to the Central Province *Gazette of India*, 1871, Pt. I, p. 411

⁵ Interference between the metre gauge main line and the Santrahari extension of the Eastern Bengal State Railway

EASTERN DIVISION—*contd.*

LINES ON WHICH DARBAHS HAVE CEDED FULL SOVEREIGNTY.			Lines on which Darbhas have ceded jurisdiction only	LINES ON WHICH DARBAHS RETAIN BOTH SOVEREIGNTY AND JURISDICTION		
NAME OF RAILWAY		States traversed.		NAME OF RAILWAY.		States traversed
System.	Line.			System	Line	
			Katul-Balaspur Branch Rangpur Feringhacham Branch Eastern Bengal State Railway Great Indian Peninsula Railway, Midland Sec- tion— Dum-Saigoo-Kaizur Branch Bajpattan Malwa Rail- way— Malwa Section, South of the Nerbudda			

NORTHERN DIVISION.

	N ^o 1		Agra Delhi Chord Rail- way Beawal and North West ern Railway Oudh and Rohilkhand Railway Rajpattan-Malwa Rail- way Oudh-Saigoo-Kaizur Sec- tion Rohilkhand and Kumaon Railway Kashmere extension		N ^o 2	
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NORTH-WESTERN DIVISION.

North-West- ern Railway.	North-West ern Railway Main line	Bahawalpur ¹	Delhi-Ambala-Kalka Rail- way Jodhpur-Bikaner Railway (<i>in the Punjab</i>) Kalka Simla Railway Ludhiana Dhuri Jalandhar Railway North-Western Railway— Main line Jammu-Kashmir section Muzaffargarh-Bolton line ² Quetta (exp.) Quetta-Nasikhi Section ³ Rawalpindi—Dhokata Branch Sardar Poonji line ⁴ Nowshera Dargal Rail- way ⁵		N ^o 1	
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¹ The agreement of the Nawab of Rampur in 1864 (*Treaties*, Volume I, Ed 1909, p. 28) to cede in full sovereignty any land required for the Oudh and Rohilkhand Railway was not acted upon, as the alignment then adopted lay outside the State. When the Bareilly-Rampur Moradabad chord of this Railway was undertaken in 1882, the State ceded jurisdiction, the exercise of which is now provided for by notification No. 1047 I.B., dated the 16th September 1912, printed *supra* p. 11.

² Proclamations No 1335 J. P., dated the 14th July 1879, No 169 I., dated the 18th July 1885, and No 1018 I., dated the 26th February 1887, attached these lands to the Punjab *Gazette of India*, 1870, Part I, p. 500, 1882, Part I, p. 230, and 1887, Part I, page 115. See also Act VIII of 1883 Punjab and North West Code, Ed 1903, p. 145.

³ The last few miles to Dargal lie in tribal territory in the Dir, Swat and Chitral Agency of the North-West Frontier Provinces.

⁴ In Baluchistan Agency Territories.

NORTH-WESTERN DIVISION—*contd.*

LINES ON WHICH DARRARS HAVE CEDED FULL SOVEREIGNTY.			LINES ON WHICH DARRARS RETAIN BOTH SOVEREIGNTY AND JURISDICTION		
NAME OF RAILWAY.		Stations traversed	Lines on which Darrars have ceded jurisdiction only	NAME OF RAILWAY.	
System	Line.			System.	Line.
			Rajputana Malwa Railway— <i>Main line (on the Punjab) Rewari-Bhatinda Ferozka section</i> <i>Rewari-Ferozka Chord (on the Punjab)</i> Southern Punjab Railway. <i>Main line</i> <i>Lehman extension</i> <i>Narwana Kathol Branch.</i>		

WESTERN DIVISION.

Bombay, Baroda and Central India Railway.	Bombay, Baroda and Central India Railway. <i>Main line.</i>	Baroda & Sochin.	Ahmedabad Parantij Railway Amroli Railway Baroli Light Railway Bhavnagar Railway Bulmora-Kalambra Railway	Bhavnagar Railway.	Amnaji Taranga Light Railway ¹	Danta.
Great Indian Peninsula Railway	Great Indian Peninsula Railway. <i>South East main line</i>	Akalkot ²	Bombay, Baroda and Central India Railway <i>Main line</i> <i>Amnaji Godhra Branch</i> <i>Baroda Godhra Chord</i> <i>Patli Branch</i> Dhruvachitra Railway Gokwar's Mohana Railway Mohana Viramgam Godhra-Lunavada Railway Godhra Ratlam Nagda Railway (<i>West of Amnaji</i>) Gondal-Portbandar Railway ³ Great Indian Peninsula Railway <i>South East main line (in the Bombay Presidency)</i> <i>Dhant-Mohana Branch</i>	Bombay, Baroda and Central India Railway.	Bhavnagar Dock Estate section. ⁴ Gokwar's Dabhoi Railway. ⁵ Gokwar's Mohana Railway ⁶ Vijayar-Kaloti Kadi Railway ⁷	Bhavnagar Baroda Baroda Baroda.
					Champaner Shivrampur Light Railway Cutch Railway	Baroda. Cutch

¹ See Bombay Act I of 1862 and III of 1868, and Act XV of 1874 by which section 5 of Bombay Act III of 1863 has been repealed. Printed Bombay Code, Volume II, Ed 1907, pp 308 and 309, General Act, Volume II, Ed, 1908, p 457.

² Proclamation No. 118-J., dated the 14th September 1878, included these lands in the Bombay Presidency. *Gazette of India*, 1878, Part I, page 400.

³ On the Bhavnagar Railway except the length in the Palitana State, the Dhant-Dhoraji section of the Gondal-Portbandar Railway, and the lengths of the Junagadh Railway in the States of Junagadh and Gondal the cession of civil jurisdiction by the jurisdictional States concerned is restricted to certain classes of suits but on the lengths of the Bhavnagar Railway in the non-jurisdictional States comprised in the Bhotha and Sengadh Thanae and on the length of the Gondal-Portbandar Railway in the non-jurisdictional State of Vithalgarh the British Government possesses full jurisdiction irrespective of position while on the lengths of the Bhavnagar Railway in the States of Chunda and Vain, and of the Dhant-Dhoraji section of the Gondal-Portbandar Railway in the States of Lath, Banva, Jotpur and Kotda Pitha the British Government possesses residuary civil jurisdiction in addition to the jurisdiction ceded.

⁴ The line starts from the Baroda frontier where it connects with the Mohana Kheran section of the Gokwar's Mohana Railway. The first section lies in the Gadhwada Thana of the Mahi Kantha Agency the jurisdiction in which vests wholly in the British Government.

⁵ Consists of the lengths Mirgam to Malur, Mirgam to Dabhoi, Dabhoi to Bodali with branch from Bahadarpur to Bhatpur, Dabhoi to Chandod, Dabhoi to Jarod, Dabhoi to Vithalgarh and Vithalgarh to Masur Kher.

⁶ *See*, the lengths Mohana and Kheran to Gadhwada Thana frontier, Mohana to Kalolhi with branch from Khaliyur to Khakal, Manand Road to Harri, and Changanma to Bohrari.

⁷ Includes an extension from Kadi to the Mohana-Viramgam section of the Gokwar's Mohana railway.

⁸ For goods traffic only.

LINES ON WHICH DARBAR HAVE CEDED FULL SOVEREIGNTY			Lines on which Darbars have ceded jurisdiction only	LINES ON WHICH DARBAR RETAIN BOTH SOVEREIGNTY AND JURISDICTION		
NAME OF RAILWAY.		Status traversed.		NAME OF RAILWAY.		Status traversed.
System	Line			System	Line	
			Jamnagar Railway Jettalar Rajkot Railway Junagarh Railway I Kolhapur Railway Madras and Southern Maratha Railway Motee gunge Mass line Bijapur Branch Hathor Branch, Poona Branch Morvi Railway North Western Railway. Moss line (in Sind) Palanpur Deesa Railway Porbandar Cambay Railway Rajpura Railway Rajputana Malwa Rail- way Moss line (to Rajputana Frontier) Saurh Railway Tapti Valley Railway	Gondal Pei- bandar Rail- way Jamnagar Railway Junagarh Railway Morvi Rail way	Gondal Perban- dar Railway <i>Pei, S a n d e r</i> <i>Dock Estate</i> <i>section *</i> <i>Quarry branch *</i> Junagarh Rail- way <i>Dok Damlar</i> <i>Dock Estate</i> <i>section *</i> Junagarh Rail way <i>Ferrowl Dock</i> <i>Estate section *</i> <i>Quarry branch *</i> Kosambh-Zan- khar Railway Morvi Railway Quarry branch * Porband - V a s o Railway	Porbandar, Porbandar Navanagar, Junagarh, Junagarh, Baroda, Morvi, Baroda

NORTH CENTRAL DIVISION.

274.	<p>Darna Kotah Railway</p> <p>Bhopal Itarsi Railway</p> <p>Bhopal Ujjain Railway</p> <p>Elma Guna-Ikarna Railway</p> <p>Godhra Kailasa Nagda Railway (in Central India)</p> <p>Great Indian Peninsula Railway, Madras Section</p> <p>Main line</p> <p>Cannepore Branch</p> <p>Manikpore Branch</p> <p>Nagda Kuttan Railway</p> <p>Main line</p> <p>Dajana Agra Branch</p> <p>Nagda Ujjain Railway</p> <p>Rajputana Malwa Railway</p> <p>Main line (Rayputana)</p> <p>Agra Branch</p> <p>Malwa section (North of the Nardada)</p> <p>Kewas & Phulera Chord (in Rayputana)</p> <p>Bambur Branch</p> <p>Ujyoti Branch</p>	<p>Bombay, Baroda and Central India Railway</p> <p>Great Indian Peninsula Railway</p> <p>Jodhpur Bikanor Railway.</p>	<p>Jaipur Railway</p> <p>Dholpur Bari Railway</p> <p>Gwalior Light Railway</p> <p>Jodhpur Bikanor Railway</p> <p>Pipar Road</p> <p>Bilara Light Railway.</p> <p>Udaipur Chitor-garh Railway</p>	<p>Jaipur</p> <p>Dholpur</p> <p>Gwalior</p> <p>Jodhpur</p> <p>Bikanor</p> <p>Jodhpur</p> <p>Mowar</p>
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* For goods traffic only.

SOUTH CENTRAL DIVISION.

LINES ON WHICH DARBARS HAVE CEDED FULL SOVEREIGNTY			Lines on which Darbars have ceded jurisdiction only	LINES ON WHICH DARBARS RETAIN BOTH SOVEREIGNTY AND JURISDICTION		
NAME OF RAILWAY.		States traversed		NAME OF RAILWAY.		States traversed
System.	Line			System	Line	
...	Ntl.	.	Great Indian Peninsula Railway— Aaypur Branch 1 Anavadi Branch 1 Khandwa Branch 1 South-East Main Line (as Hyderabad) Hingoli Branch Railway Hyderabad Godavari Valley Railway Madras and Southern Maratha Railway North West Main Line (as Hyderabad) Murtasapur Ellorapur Railway 1 Murtasapur Yotmal Rail- way 1 Nizam's Guaranteed State Railway	.	Ntl.	..

SOUTHERN DIVISION.

...	Ntl.	...	Hindupur Railway Kolar Goldfields Railway Madras and Southern Maratha Railway Mysore Section (partly) ² South West line, Ban- galore Branch Shorapur-Cochin Railway. Tinnivelly Quilon Railway	...	Dangalore Chittoor Railway Barr Shimoga Railway Downing Port- Kolar Rail- way. Madras and Southern Mar- tha Railway. Hooper Kottar Branch Mysore Section (partly). ⁴ Mysore Nan- jangud Rail- way	Mysore, Mysore, Mysore, Sandur, ³ Mysore, Mysore,
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¹ In Barar² The length from Bangalore to Badliar.³ The Darbar has been allowed to retain jurisdiction, although it was ceded in 1907.⁴ The length from Mysore to Bangalore.

EASTERN DIVISION ¹

It is sufficient for practical purposes to record that in all the railway lands in the Eastern Division over which jurisdiction has been ceded, the Laws² Courts and administrative arrangements generally of the neighbouring British districts³ have been introduced by the following notification:—

No 754-I.B, dated the 28th March 1912—Whereas the Governor-General in Council has full and exclusive power and jurisdiction over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes) and over all persons and things whatsoever within the said lands.

In exercise of such power and jurisdiction and of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of justice within the said lands —

(1) All laws for the time being in force in the districts or areas specified in the third column of the said schedule shall be in force in the lands lying within the States specified in the corresponding entry in the second column which are occupied by the portions of the railways specified in the corresponding entry in the first column thereof

(2) The Local Government and all officers subordinate to it for the time being exercising executive authority within the said districts or areas shall exercise the like authority within the said lands, except in connection with the administration of police which shall be vested in the officer for the time being in charge of Railway Police under the said Local Government.

(3) All Courts having for the time being jurisdiction within the said districts or areas shall have the like jurisdiction within the said lands.

(4) The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each:—

(Not reprinted.)

¹ According to the classification *supra* p 1

² The Indian Railways Act, 1890, and the Indian Railway Bond Act, 1905, have been separately applied to these lands, along with other railway lands in Native States over which jurisdiction has been ceded, by notification No. 754 I B, dated the 9th April 1912 See Appendix XVIII

³ Jurisdiction over European British subjects in the railway lands is formally assigned to the Chartered High Courts in accordance with the arrangements obtaining in the British districts concerned by notification No 853 I B, dated the 16th April 1913. Printed in Appendix IV

Similarly the railway lands are included in the same Presidency or province as are those districts for the purposes of the Administrator General's Act, 1874, by notification No 855-I.B, dated the 16th April 1913. Printed in Appendix VI

Schedule—contd.

	Railway.	State	District
B e n g a l Dooms Railway system	4 Bengal Dooms Railway <i>Southern extension</i>		
	Barnes-Baura	Cooch Behar .	Jalpaiguri.
E a s t e n Bengal State Railway system.	5 Eastern Bengal State Railway <i>Northern section</i>		
	Faizapur-Jalpaiguri . .	Cooch Behar	Jalpaiguri
	Kaunia-Dhulri section . .	Cooch Behar	Rangpur

[Gazette of India, 1912, Pt. I, p. 391.]

1NORTHERN DIVISION.

In all the railway lands in the Northern Division, over which jurisdiction has been ceded, the administration has been assimilated to that of the neighbouring British districts² by the following notification —

No 1947-I B., dated the 16th September 1912 —Whereas the Governor-General in Council has full and exclusive power and jurisdiction over the lands lying within the States specified in the second column of the schedule hereto annexed which are occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes) and over all persons and things whatsoever within the said lands.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of justice within the said lands. —

- (1) All laws³ for the time being in force in the districts specified in the third column of the said schedule shall be in force in the lands lying within the States specified in the corresponding entry in the second column which are occupied by the portions of the Railways specified in the corresponding entry in the first column thereof
- (2) The Local Government and all officers subordinate to it for the time being exercising executive authority within the said districts shall exercise the like authority within the said lands
- (3) All Courts having for the time being jurisdiction within the said districts or areas shall have the like jurisdiction within the said lands.
- (4) The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each :—

(Not reprinted.)

¹ According to the classification *supra*, p. 3

² The exercise of jurisdiction by the High Court at Allahabad over European British subjects and the arrangements for the purposes of the Administration General's Act, 1874, have been likewise assimilated by notifications No 853-I B and No 855-I B, dated the 16th April 1913 Printed in Appendices IV and V

³ The Indian Railways Act, 1890, and the Indian Railway Board Act, 1906, have been separately applied to these lands, along with other railway lands in Native States over which jurisdiction has been ceded by notification No. 784 I B, dated the 9th April 1913. Printed in Appendix XVIII.

SCHEDULE.

	Railway.	State.	District.
Bengal and North-Western Railway System	Bengal and North Western Railway, Benares-Allahabad	Benares	Benares
Bombay, Baroda and Central India Railway System.	Rajputana Malwa Railway, <i>Cawnpore-Achnora Section,</i> Muttra-Achnora.	Bharatpur	Muttra.
Great Indian Peninsula Railway System	Agra-Delhi Chord Railway, Agra-Muttra	Bharatpur	Muttra
Oudh and Rohilkhand Railway System.	Oudh and Rohilkhand Railway, <i>Main Line.</i>	{ Benares Rampur	{ Benares. Muradabad.
Rohilkhand and Kumaon Railway System.	Rohilkhand and Kumaon Railway, <i>Kashipur extension.</i>	Rampur	Muradabad.

[Gazette of India, 1912, Pt. I, p 1016]

NORTH-WESTERN DIVISION.¹

- A In the North-Western Division of railways the provisions for the exercise of jurisdiction are as follows :—

On the short length of the Nowshera-Durgai Railway in tribal territory the arrangements are identical with those in the rest of the Dir, Swat and Chitral Agency. Nowshera-Durgai Railway.

- B The sections of the North-Western Railway in Baluchistan (outside British Baluchistan) form an integral part of the Baluchistan Agency territories. Thus, the lengths of the Sind-Pishin line from Spintangi to Nari and from Sibi to the frontier near Jacobabad are included for all purposes in the Sibi (*alias* Kohlu, Nasirabad and Railway) District the Mushkaf-Bolan line and the Quetta-Nushki section are similarly incorporated in the Bolan Pass and Nushki Railway District, and the Quetta loop lies in the Quetta District. All particulars regarding the enactments in force and the Courts exercising jurisdiction will be found in the Chapter dealing with Baluchistan Agency Territories. North Western Railway in Baluchistan

- C The other railways in the Division fall into two categories, *viz.* — Other lines

(i) lines where the arrangements are assimilated to those of the neighbouring British districts, and

(ii) lines where particular Acts have been applied and special Courts have been created.

The former are provided for by the following notification —

No 515 I.-B, dated the 17th March 1913—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands :

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of the said lands.

(1) All laws² for the time being in force in the districts of the Punjab specified in the third column of the said schedule shall be in force in the lands³ lying within the States specified in the corresponding entry in the

¹ According to the classification *supra* p 2

² The Indian Railways Act, 1890, and the Indian Railway Board Act, 1906, have been separately applied to these lands, along with other railway lands in Native States over which jurisdiction has been ceded, by notification No 784 I.-B, dated the 9th April 1913. Printed in Appendix XVIII

³ These lands have been included, as part of the States whose territory they are, in the Presidency of Bengal for the purposes of the Administrator General's Act, 1874. See notification No. 855 I.-B, dated the 16th April 1913. Printed in Appendix VI.

second column which are occupied by the portions of the Railways specified the corresponding entry in the first column thereof

(2) The Lieutenant-Governor of the Punjab and all officers subordinate to him for the time being exercising executive authority within the said districts shall exercise the like authority within the said lands

(3) All Courts having for the time being jurisdiction within the said districts shall have the like jurisdiction within the said lands.

II. The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each. —

(Not reprinted)

SCHEDULE.

Railway		State.	District
1		2	3
Bombay, Baroda and Central India Railway system	1. Rajputana-Malwa Railway		
	<i>Main Line</i> Ajmer-Delhi	Nabha . . Patnauli . .	} Gurgaon.
	<i>Rewari-Bhatinda-Fazilka Section</i> Rewari-Bhatinda-Faizkot frontier	Dujana . . Jind . .	
	Faizkot frontier-Muktsar	Patnauli . . Faizkot . . Nabha . .	} Hisar } Ferozepore
East Indian Railway system.	2 Delhi-Ambala-Kalka Railway Ambala-Kalka	Patnauli . . Kalsia . .	} Ambala. A
North-Western Railway system	3 North-Western Railway		
	<i>Main Line</i> Ambala-Khanna	Patnauli . . Nabha . .	} Ambala
	Khanna-Ludhiana	Patnauli . .	
	Ludhiana-Amritsar	Kaputhala . .	Ludhiana Jullundur
	<i>Raewari-Bhatinda Branch</i> Ferozepore-Bhatinda	Faizkot . . Nabha . . Patnauli . .	} Ferozepore.
	<i>Jammu-Kashmir Section</i> Sialkot-Jammu	Jammu . .	Sialkot.
Ditto	4 Southern Punjab Railway		
	<i>Main Line</i> Samasata-Panjkot	Bahawalpur . . Bikaner . .	Multan Ferozepore
	<i>Ludhiana Extension</i> McLeodganj-Fazilka	Bahawalpur . .	Multan

[Gazette of India, 1913, Pt I, p 234]

On the lines of the second category the following British enactments are in force —

Lines where particular Acts and special Courts have been introduced

I.—Statutes.—See Appendix I

II.—Acts of the Governor-General in Council.—See Appendix II

III.—Orders under Statutes.

The Indian (Foreign Jurisdiction) Order in Council, 1902 —See Appendix III. 53 and 54 Vict., c 87.

IV.—Orders under Acts of the Governor-General in Council and of Local Legislatures.

No 4460-I., dated the 27th December 1894 —Printed in Appendix V

Indian Christian Marriage Act, 1872
Officer appointed Marriage Registrar and licensed to grant certificates of marriage between Native Christians in the Patana State

No 2033-I. B., dated the 26th September 1912.—Printed in Appendix V.

Delegation to the Lieutenant-Governor of powers under the Act in all States in the Punjab

No. 1586-E, dated the 29th August 1892 —Printed in Appendix V

Fees and Rules. /

* *No 900, dated the 22nd February 1872* —In the exercise of the power vested in him by the last clause of section 2 of the European Vagrancy Act, 1869, His Excellency the Acting Governor-General in Council is pleased to extend sections 4 to 16 (both inclusive), 19, 20, 24 and 29 of the said Act, to the Punjab, as well as to the dominions of the Princes and States in alliance with Her Majesty, situated within the limits of the Province, with effect from the date † of the re-publication of this notification in the local Gazette of the Government of the Punjab

European Vagrancy Act, 1874

Provisions brought into force in Punjab States from the 28th February 1872

[*Gazette of India*, 1872, Pt I, p. 188.]

* This notification is kept in force by s 2 of Act IX of 1874, and should now be read as referring to ss 4 to 16, 19, 20, 24 and 29 of that Act.

† It was published in the *Punjab Government Gazette* on the 29th February, 1872 See p. 274 of that Gazette.

Indian Arms Act,
1878.

Exemption of certain
persons from certain
prohibitions and
directions contained
in the Act
Rules regarding the
export of arms and
ammunition from,
and their import
into, British India

No. 3102, dated the 16th August 1909.—Printed in Appendix XVII.
(The Indian Arms Rules, 1909.)

Births, Deaths and
Marriages
Registration Act,
1886.

Appointment of—
(a) Marriage Regis-
ters, and
(b) Registrar-Gen-
eral for the Punjab
States and Balu-
walpur

No 705 I-B, dated the 3rd April 1911.—Printed in Appendix
VIII.

Fees and Rules

1 No. 1173, dated the 19th July 1888.—Printed in Appendix VIII

Indian Stamp Act,
1899

Remission of duty
in British India on
instruments executed
and properly stamped
in the railway lands

2 No 3616-Eac, dated the 16th July 1909—In exercise of the powers
conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of
1899), * the Governor-General in Council is pleased * * to remit the
duties * chargeable in respect of instruments of the classes hereinafter
described —

* * * * *

81 Instrument executed in the areas mentioned in the schedule hereto
attached in respect of which the stamp duty with which it is chargeable under
the Stamp Law for the time being in force in the said areas has been paid in
accordance with the said Law.

SCHEDULE

Areas

* * * * *

311. Railway lands in Jammu and Kashmir and in States in the
Punjab over which the Governor-General in Council exercises jurisdiction

* * * * *

[*Gazette of India, 1909, Pt. I, p 507*]

¹ For revised schedules A and B see notification No. 273, dated the 14th February 1913.
Punjab Gazette, 1913, Pt. I, p 118

² For notifications securing similar remissions in Administered Areas under British jurisdic-
tion, see pages 111 and 176 in Volume II, and corresponding notifications in Volumes III and IV

³ Added by notification No. 246-F, dated the 28th February 1913 *Gazette of India, 1913.*
Pt I, p 169

No. 341, dated the 11th August 1904.—In exercise of the power conferred by sub-section 4 of section 2 of the Indian Foreign Marriage Act, 1903 (XIV of 1903), the Governor-General in Council is pleased to prescribe a fee of Rs 5 for every certificate to the effect that notice under the Act has been given, and published in accordance with the said section

A Marriage Registrar, District Magistrate, * * * or Political Agent may in his discretion remit a part not exceeding three-fourths of the fee to any person who appears to him to be in indigent circumstances

Where the fee is received by any person, who is a Government servant and not a minister of religion, it shall be paid into a Government Treasury and where it is received by any other person it may be retained by him

[*Gazette of India*, 1904, Pt I, p. 592.]

Indian Extradition
Act, 1908

No. 648-I-B, dated the 31st March 1913.—Printed in Appendix IX.

Officers invested
with powers of a
Political Agent under
the Act

Indian Universities
Act, 1904

No. 717, dated the 20th August 1904.—Printed in Appendix X.

Inclusion of Punjab
States in the territorial
limits of the
Punjab University.

Code of Civil
Procedure, 1908

No. 749-I. B, dated the 27th March 1912 —Printed in Appendix XI

Authority to
sanction institution of
suits and execution
of decrees against
Chiefs of Punjab
States.

Administrator-
General's Act, 1874.

No. 855-I. B, dated the 16th April 1913 —Printed in Appendix VI.

Inclusion of Punjab
States in a territorial
division for purposes
of the Act.

No. 3542-I, dated the 27th August 1891.—Printed in Appendix VI.

Exercise of the
powers and duties of
a District Judge
under the Act

V.—Acts locally applied.

No 784 I-B, dated the 9th April 1913 — Printed in Appendix XVIII.

Indian Railways Act,
1890, and Indian
Railway Board Act,
1906
General Acts

No. 517 I-B, dated the 17th March 1913.—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the railway lands specified in ¹ notification No 516 I-B, dated the 17th March 1913, and over all persons and things whatsoever within the said lands.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to apply to the said lands (hereinafter styled 'the Railway Lands') the enactments specified in the schedule hereto annexed, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India

Provided, first, that in the enactments as so applied, references to a Local Government shall be read as referring to the Lieutenant-Governor of the Punjab references to a High Court as referring to the Chief Court of the Punjab and, except where the context or the modifications hereinafter referred to otherwise require, references to British India or to a province or the territories subject to a Local Government as referring to the Railway Lands

Provided, secondly, that the further modifications and restrictions set forth in the said schedule shall be made in the said enactments as so applied.

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the Railway Lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

Provided, fourthly, that the Lieutenant-Governor of the Punjab may direct by what officer any authority or power under the said enactments shall be exerciseable

II. The following notifications of the Government of India in the Foreign Department mentioned in the ² second schedule hereto annexed are hereby cancelled to the extent noted against each

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or authorised, jurisdictions or powers conferred or confirmed, notifications published

¹ Printed in *G.O.*, p 24

² Not reprinted

rules made, orders passed, and things done under any of the enactments specified in the notifications hereby superseded in the Railway Lands, shall so far as may be, be deemed to have been respectively commenced, appointed, or authorized, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

FIRST SCHEDULE.

Enactments applied	Further modifications and restrictions
1. The Indian Penal Code (Act, XLV of 1860)	In section 75 the words "British India" shall be read as referring to British India and the Railway Lands
2. The Police Act, 1861 (V of 1861)	(1) In section I for the first paragraph the following shall be substituted — "The words 'Magistrate of the district' shall mean the officer exercising within the railway lands in question the powers of a District Magistrate as described in the Code of Criminal Procedure 1898" (2) In section 34 for the words "road or in any open place or street or thoroughfare within the limits of any town" the words "railway lands" shall be substituted.
3. The Indian Succession Act, 1865 (X of 1865)	(1) In section 3 the definition of "British India" and the word 'therein' in the definition of "High Court" shall be omitted
4. The Public Gambling Act, 1867 (III of 1867)	The preamble, the first two paragraphs of section 1, and section 2 shall be omitted
5. The Court-fees Act, 1870 (VII of 1870)	
6. The Cattle-trespass Act, 1871 (I of 1871).	
7. The Indian Evidence Act, 1872 (I of 1872)	In section 67, 74, 78 and 79 the words "British India" shall be read as referring to British India, the Railway Lands and areas outside British India under the administration of the Governor General in Council.
8. The Indian Contract Act, 1872 (IX of 1872).	
9. The Indian Oaths Act, 1873 (X of 1873)	
10. The Probate and Administration Act, 1881 (V of 1881)	
11. The Indian Telegraph Act, 1885 (XIII of 1885)	

FIRST SCHEDULE—*contd.*

Enactments applied	Further modifications and restrictions
<p>12 The Provincial Small Cause Courts Act, 1887 (IX of 1887)</p> <p>13. The Police Act, 1888 (III of 1888)</p> <p>14 The Succession Certificate Act, 1889 (VII of 1889)</p>	<p>For section 17 the following shall be substituted:—</p> <p>“ 17. Where a certificate in the form of the second schedule to this Act has been granted under the Succession Certificate Act, 1889, by a Court having jurisdiction under the Act in British India, or under the Act as applied in any area outside British India which is under the administration of the Governor-General in Council, or where a certificate in the form, as nearly as circumstances admit, of the said schedule has been granted to a resident within a Foreign State by the British representative accredited to the State, or where a certificate so granted has been extended in such form by such court or by such representative, the certificate shall have the same effect as a certificate granted or extended under this Act ”</p>
<p>15. The Revenue Recovery Act, 1890 (I of 1890)</p>	<p>For section 8 the following shall be substituted —</p> <p>“ 8 The provisions of this Act shall apply equally to—</p> <p>(a) The recovery in the Railway Lands of any arrear of land revenue accruing, or sum recoverable as an arrear of land revenue and payable to a Collector or other public officer or to a local authority, in any part of British India or in any local area which is not part of British India but which is under the administration of the Governor-General in Council and to which the Revenue Recovery Act, 1890, has been applied, and</p> <p>(b) The demand for the recovery in British India or in any such local area of any such arrear accruing, or sum so recoverable and payable, in the Railway Lands.”</p>
<p>16 The Epidemic Diseases Act, 1897 (III of 1897).</p>	
<p>17. The General Clauses Act, 1897, (X of 1897).</p>	<p>In section 3, clause (7) the words ‘ British India ’ shall remain unmodified. But in any other enactment, where this definition would otherwise apply, the words shall be read subject to the provisions of this notification</p>

FIRST SCHEDULE—*contd*

Enactments applied	Further modifications and restrictions
<p>18 The Code of Criminal Procedure, 1898 (V of 1898)</p>	<p>(1) Sections 22 to 25 shall be omitted</p> <p>(2) A Sessions Judge at his discretion—</p> <p>(a) may take cognisance of an offence without the accused person being committed to the Court of Session by a Magistrate and, if so, shall follow the procedure laid down by this Code for the trial of warrant cases by Magistrates, and</p> <p>(b) in other cases may direct that any trial before the Court of Session shall be without jury or aid of assessors</p> <p>(3) In section 503, sub-section (1), after the words "such attendance and" the words "if such witness resides in any area to which this Code applies or in British India" shall be inserted</p> <p>(4) Nothing in the Code as applied shall be deemed to apply to proceedings against European British subjects or persons charged jointly with European British subjects.</p>
<p>19 The Indian Post Office Act, 1898 (VI of 1898)</p> <p>20. The Indian Stamp Act, 1899 (II of 1899).</p> <p>21. The Indian Extradition Act, 1903 (XV of 1903)</p> <p>22. The Provincial Insolvency Act, 1907 (III of 1907)</p> <p>23 The Code of Civil Procedure, 1908 (V of 1908)</p>	<p>(1) In section 2, sub-section (5), section 10 and rule 49, sub-rules (4) and (5) of Order XXI in the First Schedule the words "British India" shall be read as referring to British India and the Railway Lands</p> <p>(2) In the proviso to section 29 after the word "summonses" the words "are situated in British India or" shall be inserted</p> <p>(3) For section 43 the following shall be substituted —</p> <p>"43 Any decree passed by a Civil Court in British India, or by any Court established or continued by the authority of the Governor-General in Council, may, if it cannot be executed within the jurisdiction of the Court by which it was passed, be executed in the manner herein provided within the jurisdiction of any Court in the Railway Lands "</p>

FIRST SCHEDULE—*contd*

enactments applied	Further modifications and restrictions
23. The Code of Civil Procedure 1908 (V of 1908)— <i>contd</i>	<p>(4) In section 45 after the words "any Court" the words "situate in British India or" shall be inserted</p> <p>(5) In section 78 for clause (b) the following shall be substituted —</p> <p>"Court situate in British India or in any other part of the British Empire, or"</p> <p>(6) To rule 25 of Order V in the First Schedule the following shall be added —</p> <p>"Provided that, if the defendant resides in British India, the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides and if the Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be deemed to be evidence of service"</p> <p>(7) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the Railway Lands</p>
24. The Indian Limitation Act, 1908 (IX of 1908).	<p>(1) In section 18, the words "British India" shall be read as referring to British India and the Railway Lands</p> <p>(2) Sections 30 and 31 shall be omitted in the application of the Act to the Jodhpur-Bikaner Railway Lands</p> <p>(3) In the case of articles 52, 53, 57, 59, 61, 63, 64, and 68 to 80 in the First Schedule the period of limitation shall be six years, provided that this shall not be deemed to revive any right to sue already at the date of this notification barred under the Indian Limitation Act, 1877, or the Indian Limitation Act, 1908, as in force hitherto in the Railway Lands.</p>

FIRST SCHEDULE—*conold*

Enactments applied	Further modifications and restrictions.
25. The Indian Registration Act, 1908 (XVI of 1908)	<p>(1) In section 33 the words "British India" shall remain unmodified</p> <p>(2) In section 33, sub-section (1), after the words "executing the power-of-attorney resides" in clause (a) and after the words "does not reside" in clause (c), the words "in the railway lands or" shall be added.</p>
26 The Whipping Act, 1909 (IV of 1909).	Section 6 shall be omitted.
27 The Indian Lunacy Act, 1912, (IV of 1912)	<p>(1) To section 3, sub-section 1, the following shall be added -</p> <p style="padding-left: 40px;">"and include any asylum in the Punjab which the Lieutenant-Governor of the Punjab may by general or special order appoint"</p> <p>(2) Sections 14, 15 and 67 shall be subject to the proviso that, if a lunatic is an inhabitant of a Native State, the Magistrate or Judge, as the case may be, may make him over to the care of such State with its consent and, in the case of an order under section 67, with the consent of the person on whose application the inquiry was instituted</p> <p>(3) In section 85 for the words "in any province" and "in any other province" respectively the words "in the Railway Lands" and "outside the Railway Lands" shall be substituted.</p>

[*Gazette of India*, 1913, Pt I, p 238.]

V—Orders relating to Courts.

Execution of capital sentences in British India

No. 1431-I, dated the 27th April 1893.—Printed in Appendix XIII.

Criminal law and procedure of British India applicable to British subjects in Native States

No. 1863-I.A, dated the 13th May 1904.—Printed in Appendix IV

Appointments of Justices of the Peace with instructions to commit to the Chief Court of the Punjab

No. 639-I.A, dated the 14th February 1902 —Printed in Appendix IV.

Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests

No. 680-I.B, dated the 19th March 1912 —Printed in Appendix IV.

Constitution of Civil and Criminal Courts.

No. 516-I.B, dated the 17th March 1913 —Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States named in the second column of the first schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by outbuildings and for other railway purposes), and over all persons and things whatsoever within the said lands.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of justice within the said lands

PART I.—CRIMINAL JURISDICTION

For the purposes of criminal jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely :—

- (1) Within the lands occupied by the Railways as aforesaid, the officers and the Court mentioned in the corresponding entries in the third, fourth and fifth columns of the first schedule shall exercise, respectively—
 - (a) the powers of a District Magistrate including all powers conferrable on a District Magistrate,
 - (b) the powers of a Court of Session, and
 - (c) the powers of a High Court,

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

- (2) In any case in which the complainant, if any, and all the accused persons are subjects of the same Native State, it shall be in the discretion of a Court of original criminal jurisdiction to decline to exercise the powers hereby conferred

PART II — CIVIL JURISDICTION.

For the purposes of civil jurisdiction the following arrangements shall be made, namely —

Within the lands occupied by the Railways, as aforesaid, the officers and the Court mentioned in the corresponding entries in the sixth and seventh columns of the first schedule shall exercise, respectively, for all purposes connected with the administration of civil justice—

- (a) the powers of a Divisional Court ; and
- (b) the powers of the Chief Court ,

as described in the Punjab Courts Act, 1884, as for the time being in force.

II The notifications of the Government of India in the Foreign Department mentioned in the schedule¹ hereto annexed are hereby cancelled to the extent noted against each.

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

¹ Not re printed

FIRST SCHEDULE

1	2	3	CRIMINAL JURISDICTION			5	6	7
			Court of Session	High Court	Divisional Court			
	Railway	State.	District Magistrate with powers conferred under section 3 of the Criminal Procedure, 1899					
Bombay, Central India Railway system Jodhpur-Bikaner Railway system	1 Bhopal-Malwa Railway near Jabalpur	Nabha Patna	The Deputy Commissioner, Bikaner	The Political Agent for the Punjab States and Bahawalpur	The Political Agent for the Punjab States and Bahawalpur			
	2 Jodhpur-Bikaner Railway Bikaner-Bikaner frontier	Patna	The Deputy Commissioner, Bikaner	The Political Agent for the Punjab States and Bahawalpur	The Political Agent for the Punjab States and Bahawalpur			
	3 Kalka Simla Railway	Patna Bikaner Kashmir	The Deputy Commissioner, Bikaner	The Political Agent for the Punjab States and Bahawalpur	The Political Agent for the Punjab States and Bahawalpur			
	4 Ludhiana-Dhruv-Delhi Railway near Ludhiana	Patna Bikaner Jalandhar	The Deputy Commissioner, Bikaner	The Political Agent for the Punjab States and Bahawalpur	The Political Agent for the Punjab States and Bahawalpur			
	5 Rajpootana-Bikaner Railway near Bikaner	Patna Bikaner	The Deputy Commissioner, Bikaner	The Political Agent for the Punjab States and Bahawalpur	The Political Agent for the Punjab States and Bahawalpur			
North-West Frontier Railway system	6 Dhruv-Bikaner	Patna Bikaner	The Deputy Commissioner, Bikaner	The Political Agent for the Punjab States and Bahawalpur	The Political Agent for the Punjab States and Bahawalpur			
	7 Southern Punjab Railway near Ludhiana	Patna Bikaner	The Deputy Commissioner, Bikaner	The Political Agent for the Punjab States and Bahawalpur	The Political Agent for the Punjab States and Bahawalpur			
	8 Ludhiana-Jalandhar Railway near Ludhiana	Patna Bikaner	The Deputy Commissioner, Bikaner	The Political Agent for the Punjab States and Bahawalpur	The Political Agent for the Punjab States and Bahawalpur			

<p>² No 1366-I, dated the 29th March 1889.</p> <p>² No. 1367-I, dated the 29th March 1889</p> <p>• No. 1368-I, dated the 29th March 1889.</p> <p>No. 2182-I, dated the 2nd July 1890.</p> <p>No 397-I B, dated the 25th February 1910</p>	<p>—Printed in Appendix XIIA.</p>	<p>Service by the Civil Courts of these Railways of summonses—</p> <p>(a) of Civil or Revenue Courts in British India,</p> <p>(b) of other¹ Courts established or continued by the Governor-General in Council,</p> <p>(c) of Civil or Revenue Courts of Hyderabad, Mysore, Central India States, States in the political control of the Bombay Government and Baroda</p>
<p>⁵ No 1363-I, dated the 29th March 1889.</p> <p>No 1364-I, dated the 29th March 1889.</p> <p>No 4051-I.A, dated the 18th September 1902</p> <p>No 599-I B, dated the 25th February 1910.</p>	<p>—Printed in Appendix XIIA</p>	<p>Execution by the Civil Courts of these Railways of decrees—</p> <p>(a) of other Courts established or continued by the Governor-General in Council,</p> <p>(b) of certain Courts of Mysore, States in the political control of the Bombay Government and Baroda</p>
<p>No. 1367-I, dated the 29th March 1889</p> <p>No. 598-I B, dated the 25th February 1910.</p> <p>No 2622-I B, dated the 24th December 1912</p>	<p>—Printed in Appendix XIIC.</p>	<p>Service of summonses of the Civil Courts of these Railways⁴—</p> <p>(a) by other Courts, established or continued by the Governor-General in Council,</p> <p>(b) by Civil Courts of the Baroda and Mysore States</p>

¹ For lists of such Courts in other parts of India, see notifications Nos 786-788 I-B, dated the 9th April 1913 Printed in Appendix XIIA

² See also modification (2) in the Code of Civil Procedure, 1908, as applied to

³ See also modification (3) of these Railways Printed *supra*, p. 21.

⁴ These Courts may send their summonses and decrees to Courts in British India for service and execution, see sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908), though they do not reciprocate until Courts in British India are empowered (see footnote 1) to send decrees to them for execution.

Execution of
decrees of the Civil
Courts of these
Railways!—

(a) by other
Courts established or
continued by the
Governor-General in
Council.

No. 2363-I, dated the 29th March 1889—Printed in Appendix XIIA

(b) Civil Courts of
the Baroda and
Mysore States

No. 2623-IB, dated the 24th December 1912.—Printed in Appendix
XIIC.

¹ See footnote 4 on p 27 *supra*

VII.—Local Laws.¹

² No 199-J, dated the 13th November 1878 —Printed *infra*, page 114.

No. 2651-I, dated the 25th June 1891.—Printed in Appendix XV

Carrriage of salt on
the Rajputana State
Railway³

Publication of
newspapers and other
printed works

Arms Rules

No. 851-D, dated the 28th March 1913.—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, * * the Governor-General in Council is pleased to make the subjoined rules relating to arms, ammunition and military stores within the said lands —

1 In these rules “arms,” “ammunition,” and “military stores” have respectively the meanings assigned to them in the Indian Arms Act, 1878 (XI of 1878), except that the expression ‘military stores’ includes sulphur when in quantities exceeding ten sers in weight and leaden budshot and bullets when possessed in quantities exceeding one hundred weight at any one time

Interpretation

“Export” means transmission by rail from any station in any of the said lands to any station beyond the said lands.

“Import” means transmission by rail from any station beyond the said lands to any station within the said lands

“Transport” means transmission by rail from one station in the said lands to another station in the said lands.

Explanation—Arms, ammunition, and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules

2. (1) The export, without the special permission of the Political Agent, of arms, ammunition, or military stores is forbidden

Export

(2) Station Masters to whom arms, ammunition or military stores, unaccompanied by evidence of such special permission are tendered for despatch, shall detain them and report the matter through the Superintendent of Railway Police for the orders of the Political Agent.

¹ Apply to all railways of class C(1) unless stated to the contrary See p. 13 *supra*

² Applies in this Division to the lengths of the Rajputana-Malwa Railway Main line (Ajmer-Delhi) in Nabha and Pataudi

3. (1) When any arms, ammunition, or military stores are imported they shall not be delivered to the importer or consignee unless—

Import.

- (i) the importer or consignee produces the original license issued by the Secretary to the Government of India, in the Foreign Department, or other competent authority, authorising the export of such arms, ammunition, or military stores from British India and their import to some station within the lands above referred to, and
- (ii) the senior police officer at the station at which the arms, ammunition, or military stores have been received has compared the consignment with the license and authorised the Station Master to make delivery.

For the purpose of making the comparison required by clause (ii) the police officer shall have power to open any package which he thinks suspicious

- (2) If the importer or consignee fails to produce the original license, or if the consignment does not correspond therewith the senior police officer at the station shall report the matter forthwith to the Political Agent.

4. Every Station Master shall give information to the senior police officer at his station of the arrival of any consignment of imported arms, ammunition, or military stores

Information to be given by Station Master.

5. A Station Master at whose station a consignment of imported arms, ammunition, or military stores is received may after obtaining the sanction of the Superintendent of Railway Police, but not otherwise, forward the consignment, should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to.

6. No license shall be necessary in respect of the transport of arms, ammunition or military stores, but immediate information of any such transport shall be given to the senior police officers at the stations of despatch and receipt by the Station Masters concerned

Transport

7. Arms shall not in ordinary cases be taken from passengers. But if a Station Master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he

Carrying of arms by passengers

delivers up his arms: if the passenger gives up his arms, they shall be labelled with his name and description entered in the roadway bill, and delivered free of charge to him at his journey's end:

Provided that no person who has been duly exempted from the operation of sections 13—16 of the Indian Arms Act (XI of 1878), or has a license to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be required to give up his personal arms under this rule.

8. Every person employed upon the railway shall, in the absence of reasonable excuse, the burden of proving
 Obligation to give information which shall be upon him, be bound to give information to the nearest police officer regarding any box, packet, or bale in transit which he may have reason to suspect contains arms, ammunition, or military stores in respect of which an offence against these rules has been, or is being, committed

Penalties. 9 (1) Whoever commits any of the following offences, namely—

- (a) exports any arms, ammunition, or military stores without obtaining the special permission of the Political Agent as required by Rule 2,
- (b) imports any arms, ammunition, or military stores without a license of the nature referred to in Rule 3,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both.

(2) Whoever commits any of the following offences, namely—

- (a) imports any arms, ammunition, or military stores in excess of the quantities entered in the license referred to in Rule 3,
- (b) imports after the expiration of the period for which such license has been granted,
- (c) omits to give information as required by Rule 8,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both

10. When any person is convicted of an offence under the last preceding rule it shall be in the discretion of the convicting Magistrate further to direct that

Power to confiscate the whole or any portion of the arms, ammunition, or military stores in respect of which the conviction is obtained, and any box, package, or bale in which the same may have been concealed, together with the other contents of such box, package, or bale, shall be confiscated.

11 (1) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief may seize and detain the same in safe custody for such time as he may think necessary

(2) In such cases notice calling upon the importer or consignee to appear and to produce the license referred to in Rule 3 shall be published for three months at the Railway Station at which the arms, ammunition, or military stores have been seized, and at such other places as the Magistrate may think necessary

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition, or military stores shall be confiscated

12. The orders of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final

13 (1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person, whether in the employ of a Railway Company or not, who has given information leading to a conviction

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent

14 Nothing in the foregoing rules shall apply to the import of any arms, ammunition, or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India stating that they are consigned to the ruler of a State mentioned in the second column of the schedule hereto annexed

SCHEDULE.

	Railways.	States.
1	The Rajputana-Malwa Railway—	
	<i>Rewari-Phulera Chord</i>	Nabha. Patiala
2	The Jodhpur-Bikaner Railway	Patiala
3.	The Kalka-Simla Railway	Patiala Baghat Keonthal .
4	The Ludhiana-Dhuri Jakkal Railway	Malekotla. Patiala Nabha Jind.
5	The Raypuri-Bhatinda Railway	Patiala Naohs
6.	The Southern-Punjab Railway—	
	<i>Main Line</i>	Patiala Jind
	<i>Narwana-Kuthal Branch</i>	Patiala

[Gazette of India, 1913, Pt I, p 288]

WESTERN DIVISION

For the railways in the Western Division over which jurisdiction has been ceded the following arrangements have been made :—

A.—On all lines except—

- (a) the Palanpur-Deesa, Rajputana-Malwa, Kolhapur and Sangli Railways, and
- (b) the Railways in Kathiawar,

All Railways except the Palanpur-Deesa, Rajputana-Malwa, Kolhapur and Sangli Railways and the lines in Kathiawar.

the jurisdictional arrangements are those of the neighbouring British districts, as provided by the following notification :—

No 778-I B, dated the 9th April 1913 —Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf the Governor-General in Council is pleased to provide as follows for the administration of the said lands

(1) All laws¹ for the time being in force in the districts of the Bombay Presidency specified in the third column of the said schedule shall be in force in the lands² lying within the States specified in the corresponding entry in the second column which are occupied by the portions of the Railways specified in the corresponding entry in the first column thereof

(2) The Governor of Bombay in Council and all officers subordinate to him for the time being exercising executive authority within the said districts shall exercise the like authority within the said lands.

(3) All Courts⁴ having for the time being jurisdiction within the said districts shall have the like jurisdiction within the said lands

¹ According to the classification *supra*, p. 3

² The Indian Railways Act, 1890, and the Indian Railway Board Act, 1905, have been separately applied to these lands, along with other railway lands in Native States over which jurisdiction has been ceded, by notification No 784 I B, dated the 9th April 1913. Printed in Appendix XVIII.

³ As the result of the application of the Indian Stamp Act, 1899, notification No 3616-Ere, dated the 16th July 1909, as amended by No 246 F, dated the 28th February 1913, exempt documents executed and properly stamped in these railway lands from stamp duty in British India *vide* p. 47 *infra*

⁴ Those lands have been included, as part of the States whose territory they are, in the Presidency of Bombay for the purposes of the Administrator General's Act, 1874. See notification No 855-I B, dated the 18th April 1913. Printed in Appendix VI

⁵ Jurisdiction over European British subjects is formally assigned to the High Court at Bombay by notification No 853-I B, dated the 16th April 1913. Printed in Appendix IV

II The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each —
(Not re-printed.)

SCHEDULE

	1	2	3
	Railway	State.	District
Barsi Light Rail way system.	1 Barsi Light Railway Barsi Road-Latai Barsi Road-Pandharpur	Hyderabad Munaj (Senior)	} Sholapur. ¹
	2 Ahmedabad-Parantij Railway. Ahmedabad-Khedbhashma	Baroda Bavisi Thana Idar	} Ahmedabad. ²
	3 Billimora Kalamba Railway .	Bansda	Surat
	4 Bombay, Baroda and Central India Railway. <i>Anand-Godhra Branch</i>	Baroda Pandu Mewas Baroda	} Panch Mahals. ³
	<i>Baroda-Godhra Chord</i>		
	5 Godhra-Ratlam-Nagda Railway Godhra-Dohad	Baria	Panch Mahals. ⁴
	6 Mehsana Railway Mehsana-Virangam	Baroda Katosan Ijpuria	} Ahmedabad.
	7 Petlad-Cambay Railway. Anand-Cambay	Baroda Cambay	} Kana
	8 Rajpipla Railway Anklesvar-Nandod	Rajpipla	Bronch. ⁵
Bombay, Baroda and Central India Railway system	9 Tapti Valley Railway. Sunt-Bhadbhunja	Sachin Baroda	} Surat

¹ Notification No. 8159, dated the 9th October 1897, directs that the lands of the Barsi Light Railway in the Hyderabad State shall be deemed to be included for all purposes in the Barsi Taluk of the Sholapur District. *Bombay Government Gazette*, 1897, Pt I, p. 1741

² Notification No. 8108, dated the 7th October 1897, directs that these lands shall be deemed to be included for all purposes in the Parantij and Daskroi Taluks respectively of the Ahmedabad District. *Bombay Government Gazette*, 1877, Pt I, p. 1741

³ Notification No. 7404, dated the 28th October 1899, directs that the Baroda lands on the Anand-Godhra Branch shall be deemed to be included for all purposes in the Godhra Taluk of the Panch Mahals district. *Bombay Government Gazette*, 1899, Pt I, p. 1584

⁴ Notification No. 1861-P, dated the 18th March 1893, directs that these lands shall be deemed to be included for all purposes in the Godhra and Dohad Taluks, respectively, of the Panch Mahals district. *Bombay Government Gazette*, 1893, Pt I, p. 290

⁵ Notification No. 2860-A, dated the 24th April 1899, directs that these lands shall be deemed to be included for all purposes in the Anklesvar Taluk of the Broach district. *Bombay Government Gazette*, 1899, Pt I, p. 526.

SCHEDULE—*contd*

1		2	3
Railway		State	Districts.
Great Indian Peninsula Railway system	10 Great Indian Peninsula Railway.		
	<i>South East main line</i>		
Gujarat Light Railways system	Hotgi-Hyderabad Frontier <i>Dhond Maunad Branch</i>	Kurandvad (Jr) Hyderabad	Sholapur ¹ Ahmadnagar
	11 Godha-Lunavada Railway	Lunavada.	Panch Mahals
Madras and Southern Maratha Railway system	12 Madras and Southern Maratha Railway.		
	<i>Metro Ganga Main Line.</i>		
	Godag-Hospet	Hj deisabad	Dharwar. ²
	<i>Byapur Branch</i>		
	Godag-Hotgi	Ramduig Sangli Akalkot	Dharwar ² Byapur ² Sholapur ²
	<i>Harihar Branch.</i> Hubli—North outer signal Harihar Station	Jambhandi Miraj (Junior) Savanur Mysore	} Dharwar ²
	<i>Poona Branch.</i> Londa-Besui	Kurandvad (Jr) Kurandvad (Sr). Kolhapur Miraj (Senior) Miraj (Junior) Sangli Sangli	
	Besui-Poona	Jambhandi Aundh Phaltan	} Belgaum. ²
			} Satara ²
North-Western Railway system	13 North-Western Railway Kotri-Rohri	Kharipur	Shikarpur

[*Gazette of India*, 1913, Pt I, p 347]

¹ Notification dated the 16th October 1876, directs that these lands shall be deemed to be included for revenue, magisterial and general purposes in the Sholapur Taluk, for other judicial purposes in the jurisdiction of the Subordinate Judge of Sholapur, and for registration purposes in the Sub district of Sholapur *Bombay Government Gazette*, 1876, Pt I, p 959

² Notifications Nos 1244 and 1245, dated the 2nd March 1899, direct that these lands shall be deemed to be included in the jurisdiction of the Subordinate Judge of Gadag, and for other purposes in the Sub Division of the Dharwar District *Bombay Government Gazette*, 1899, Pt I, p 190

Notification No 7081, dated the 30th November 1887, prescribes the Subordinate Judges to have jurisdiction *Bombay Government Gazette*, 1887, Pt I, p 946

B.—On the Palanpur-Deesa, Rajputana-Malwa, Kolhapur and Sangli Palanpur-Deesa,
 Railways the arrangements are as follows:— Rajputana-Malwa,
 Kolhapur and
 Sangli Railways

Laws.

The laws of the neighbouring British districts have been introduced, with certain modifications, by the following notification —

No 779-J.B., dated the 9th April 1913.—I. Whereas the Governor-^{Laws.} General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the first schedule¹ hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of the said lands

PART I—LAWS.

All laws² for the time being in force in the districts of the Bombay Presidency specified in the third column of the said schedule shall be in force in the lands lying within the States specified in the corresponding entry in the second column which are occupied by the portions of the railways specified in the first column thereof

Provided, first, that in the enactments as so applied, references to a Local Government shall be read as referring to the Governor of Bombay in Council references to a High Court as referring to the Court of the Commissioner of the Northern Division of the Bombay Presidency as regards the railway lands in the Baroda and Palanpur States, and to the Court of the Commissioner of the Southern Division of the Bombay Presidency as regards the railway lands in the Kolhapur, Muz and Sangli States and, except where the context or the modifications hereinafter referred to otherwise require, references to British India or a province or the territories subject to a Local Government as referring to the railway lands.

¹ *Yide* page 52, *infra*.

² Footnote 2 on p 35, *supra*, applies here equally.

Provided, secondly, that the further modifications and restrictions set forth in the second schedule hereto annexed shall be made in the said enactments as so applied.

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the railway lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court

Provided, fourthly, that the Governor of Bombay in Council may direct by what officer any authority or power under the said enactments shall be exercisable.

* * * * *

II The following notifications of the Government of India in the Foreign Department are hereby cancelled in so far as they relate to the said lands, namely —

(Not re-printed)

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or authorized, jurisdictions conferred or confirmed, rules made, orders passed, and things done under any of the notifications hereby superseded in the aforesaid lands shall be, so far as may be, deemed to have been respectively commenced, appointed or authorized, conferred or confirmed, made, passed, and done under this notification.

SECOND SCHEDULE

Title of Act.	Further modifications and restrictions.
1. The Indian Penal Code (Act XLV of 1860)	In section 75 the words "British India" shall be read as referring to British India and the railway lands
2 The Police Act, 1861 (V of 1861)	<p>(1) In section 1 for the first paragraph the following shall be substituted —</p> <p>"The words 'Magistrate of the district' shall mean the officer exercising within the railway lands in question the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898"</p> <p>(2) In section 34 for the words "road or in any open place or street or thoroughfare within the limits of any town" the words "railway lands" shall be substituted</p>

¹ Printed *infra*, p. 50.

SECOND SCHEDULE—*contd*

Title of Act	Further modifications and restrictions
3 The Indian Succession Act, 1865 (X of 1865)	(1) In section 3, the definition of "British India" and the word 'therein' in the definition of "High Court" shall be omitted (2) Sections 242A and 264 and the proviso to section 242 shall be omitted
4. The Bombay Civil Courts Act, 1869 (XIV of 1869)	(1) In section 8 for the figures and word "17 and 26" the word and figures "and 17" shall be substituted (2) Section 26 shall be omitted
5. The Court-fees Act, 1870 (VII of 1870)	In section 19H, sub-section (2) and the words "other than a High Court" in sub-section (1) shall be omitted
6. The Indian Evidence Act, 1872 (I of 1872).	In sections 57, 74, 75, and 79 the words "British India" shall be read as referring to British India, the railway lands and areas outside British India under the administration of the Governor General in Council
7 The Probate and Administration Act, 1881 (V of 1881)	Sections 60 and 87 and the proviso to section 59 shall be omitted
8. The Succession Certificate Act, 1889 (VII of 1889)	For section 17 the following shall be substituted.— "17 Where a certificate in the form of the second schedule to this Act has been granted under the Succession Certificate Act, 1889, by a Court having jurisdiction under the Act in British India, or under the Act as applied in any area outside British India which is under the administration of the Governor-General in Council, or where a certificate in the form, as nearly as circumstances admit, of the said schedule has been granted to a resident within a foreign State by the British representative accredited to the State, or where a certificate so granted has been extended in such form by such Court or by such representative, the certificate shall have the same effect as a certificate granted or extended under this Act"
9. The Revenue Recovery Act, 1890 (I of 1890)	(1) In section 2 for clause (1) the following shall be substituted— "(1) 'District' means any area which the Governor of Bombay in Council may so appoint."

SECOND SCHEDULE—*contd*

Title of Act	Further modifications and restrictions
	<p>(2) For section 8 the following shall be substituted —</p> <p>“ 8 The provisions of this Act shall apply equally to—</p> <p>(a) the recovery in the railway lands of any arrear of land revenue accruing, or sum recoverable as an arrear of land revenue and payable to a Collector or other public officer or to a local authority, in any part of British India or in any local area which is not part of British India but which is under the administration of the Governor General in Council and to which the Revenue Recovery Act, 1890, has been applied, and</p> <p>(b) the demand for the recovery in British India or in any such local area of any such arrear accruing, or sum so recoverable and payable, in the railway lands.”</p>
10 The General Clauses Act, 1897 (X of 1897)	In section 3, clause (7), the words “British India” shall remain unmodified, but in any other enactment, where this definition would otherwise apply, the words shall be read subject to the provisions of this notification
11 The Code of Criminal Procedure, 1898 (V of 1898)	<p>(1) Sections 23 to 25 shall be omitted</p> <p>(2) In section 30 the words from “In the territories” to “Assistant Commissioners” shall be omitted</p> <p>(3) A Sessions Judge at his discretion—</p> <p>(a) may take cognizance of an offence without the accused person being committed to the Court of Session by a Magistrate and, if so, shall follow the procedure laid down by this Code for the trial of warrant cases by Magistrates, and</p> <p>(b) in other cases may direct that any trial before the Court of Session shall be without jury or aid of assessors</p> <p>(4) A person convicted on a trial held by a District Magistrate, who also exercises the powers of a Court of Session, may appeal to the High Court and in that case, notwithstanding anything in the Indian Limitation Act, 1908 (IX of 1908), as in force, the period of limitation for an appeal to the High Court shall be thirty days from the date of the conviction</p>

SECOND SCHEDULE—*contd.*

Title of Act	Further modifications and restrictions
11 The Code of Criminal Procedure, 1898 (V of 1898)— <i>concl'd</i>	<p>(5) In section 503, sub-section (1), after the words "such attendance and" the words "if such witness resides in any area to which this Code applies or in British India" shall be inserted</p> <p>(6) Nothing in the Code as applied shall be deemed to apply to proceedings against European British subjects or persons charged jointly with European British subjects</p>
12 The Indian Stamp Act, 1899 (II of 1899).	<p>In section 57, for clauses (a) to (e) in sub-section (1) the words "to the High Court" shall be substituted and sub-section (2) shall be omitted</p>
18 The Code of Civil Procedure, 1908 (V of 1908)	<p>(1) In section 2, sub-section (5), section 10, and rule 49, sub rules (4) and (5) of Order XXI in the First Schedule the words "British India" shall be read as referring to British India and the railway lands</p> <p>(2) In the proviso to section 29 after the words "summonees" the words "are situate in British India or" shall be inserted.</p> <p>(3) For section 43 the following shall be substituted —</p> <p style="padding-left: 40px;">"43. Any decree passed by a Civil Court in Execution of decrees British India, or by of British Courts, any Court estab- lished or continued by the authority of the Governor General in Council, may, if it cannot be executed within the jurisdiction of the Court by which it was passed, be executed in the manner herein provided within the jurisdiction of any Court in the railway lands"</p> <p>(4) In section 45 after the words "any Court" the words "situate in British India or" shall be inserted.</p> <p>(5) In section 78 for clause (b) the following shall be substituted —</p> <p style="padding-left: 40px;">"(b) Courts situate in British India or in any other part of the British Empire, or"</p>

SECOND SCHEDULE—*contd.*

Title of Act.	Further modifications and restrictions.
13 The Code of Civil Procedure 1908 (V of 1908)— <i>contd.</i>	<p>(6) To rule 25 of Order V in the First Schedule the following shall be added.—</p> <p>“ Provided that, if the defendant resides in British India, the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides and if the Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served on the defendant in manner hereinafore directed, such endorsement shall be deemed to be evidence of service ”</p> <p>(7) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the railway lands.</p>
14 The Explosive Substances Act, 1908 (VI of 1908)	In section 4 for the words “British India,” in each place where they occur, the word “India” shall be substituted
15 The Indian Limitation Act, 1908 (IX of 1908)	In section 13, the words “British India” shall be read as referring to British India and the railway lands
16 The Indian Registration Act, 1908 (XVI of 1908)	<p>(1) In section 33 the words “British India” shall remain unmodified</p> <p>(2) In section 33, sub-section (1), after the words “executing the power-of-attorney resides” in clause (a) and after the words “does not reside” in clause (c), the words “in the railway lands or” shall be added</p>
17 The Whipping Act, 1900 (IV of 1900)	Section 6 shall be omitted.

SECOND SCHEDULE—*conold*

Title of Act.	Further modifications and restrictions
18 The Indian Lunacy Act, 1912 (IV of 1912).	<p>(1) To section 3, sub-section 1, the following shall be added —</p> <p style="padding-left: 40px;">“and includes any asylum in the Presidency of Bombay which the Governor of Bombay in Council may by general or special order appoint”</p> <p>(2) Sections 14, 15 and 67 shall be subject to the proviso that, if a lunatic is an inhabitant of a Native State, the Magistrate or Judge, as the case may be, may make him over to the care of such State with its consent and, in the case of an order under section 67, with the consent of the person on whose application the requisition was instituted.</p> <p>(3) In section 86 for the words “in any province” and “in any other province” respectively the words “in the railway lands” and “outside the railway lands” shall be substituted.</p>

[*Gazette of India*, 1913, Pt I, p 349]

Orders under Acts of the Governor-General in Council

The following are the orders in force under Acts which apply generally¹ in Native States

No.— dated the 5th November 1874.
No. 33, dated the 30th June 1906

No 1586-E, dated the 29th August 1892
No — dated the 9th April 1873
7th October 1874

No 3102, dated the 16th August 1909 —Printed in Appendix X VII

No 4135-I, dated the 16th September 1887.
No. 4124, dated the 2nd December 1902. } -- Printed in Appendix VII

No 2933-I, dated the 15th July 1891
No 4227-I, dated the 31st October 1889
No. 1173, dated the 19th July 1888 } --Printed in Appendix VIII

² No 3616-Ewe, dated the 16th July 1909 —In exercise of the powers conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of 1899),

Indian Christian
Marriage Act, 1872
Appointments
of Marriage
Registrars licensed
to grant certificates
of marriage between
Native Christians in
railway lands in —
Baroda and Palanpur,
Kolhapur, Sangli
and Niasj

Fees and Rules in
railway lands in —
Baroda.

Other States
Indian Aims Act,
1878

The Indian Aims
Rules, 1909

Indian Income-tax
Act, 1886
Officers invested
with certain powers
of a Collector under
the Act in railway
lands in —
Baroda

Other States
Births, Deaths and
Marriages Registra-
tion Act, 1866
Appointment of
Officers to be
(a) Registrars of
Births and Deaths
(b) Registrar-General
in railway lands in —

Baroda
Other States
Fees and Rules
Indian Stamp Act,
1899

Remission of duty
in High India on
instruments executed
and properly
stamped in the
railway lands

¹ See Appendix II

² For notifications concerning similar remissions in Administered Areas under British jurisdic-
tion, see pp. 111 and 176 in Volume II, and corresponding notifications in Volumes III
and IV

the Governor-General in Council is pleased to remit the duties* chargeable in respect of instruments of the * classes hereinafter described.—

* * * * *

81 Instrument executed in the areas mentioned in the schedule hereto attached in respect of which the stamp duty with which it is chargeable, under the stamp law for the time being in force in the said areas, has been paid in accordance with the said law.

SCHEDULE

* * * * *

¹ 10. Railway lands in the Baroda State and in States in the political control of the Government of Bombay, over which jurisdiction has been ceded to the British Government and to which the provisions of the Indian Stamp Act, 1899, have been applied.

Indian Foreign Marriage Act, 1908,

[*Gazette of India*, 1909, Pt I, p 597.]

No 341, dated the 11th August 1904.—Printed *supra* page 17

Fees.

Indian Universities Act, 1904

Territorial limits of the Bombay University

Administrator-General's Act, 1874

Inclusion of the States containing these railway lands in the Presidency of Bombay

Exercise of the powers and duties of a District Judge under the Act

No 717, dated the 20th August 1904.—Printed in Appendix X.

No 855-I B, dated the 16th April 1913.—Printed in Appendix VI.

No. 3542-I, dated the 27th August 1891—Printed in Appendix VI.

¹ Added by notification No 246 F, dated the 28th February 1913 *Gazette of India*, 1913, Pt I, p 169.

Orders relating to Courts.

No 1431-I, dated the 27th April 1893.	}—Printed in Appendix XIII	Execution of capital sentences in British India
No. 4220, dated the 3rd July 1895.		
No 1863-I A., dated the 13th May 1904.—Printed in Appendix IV		Criminal law and procedure of British India applicable to British subjects in Native States
No. 853-I B., dated the 16th April 1913 —Printed in Appendix IV		Jurisdiction of the High Court at Bombay over European British subjects
No. 2616-I., dated the 6th August 1890 —Printed in Appendix IV.		Justices of the Peace to commit for trial to the High Court having jurisdiction
No 680-I B., dated the 19th March 1912 —Printed in Appendix IV		Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests Appointments of Justices of the Peace for the Palanpur-Deesa Railway, Rajputana-Malwa Railway, Kolhapur and Sangli Railways
No. 4971-I, dated the 18th December 1888	}—Printed in Appendix IV	
No 101-I J., dated the 2nd July 1880		
No. 6-I J., dated the 27th January 1882		
No 2223-I, dated the 29th June 1886		

No. 779-I B, dated the 9th April 1913.—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the first schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of the said lands

* * * *

¹ Printed *supra*, p. 39.

PART II —CRIMINAL JURISDICTION.

For the purposes of criminal jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely .—

- (1) Within the lands occupied by the Railways as aforesaid, the officers mentioned in the corresponding entries in the fourth, fifth, sixth and seventh columns of the schedule shall exercise, respectively—
 - (a) the powers of a Magistrate of the first class,
 - (b) the powers of a District Magistrate including all powers conferable on a District Magistrate,
 - (c) the powers of a Court of Session, and
 - (d) the powers of a High Court,

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

- (2) In any case in which the complainant, if any, and all the accused persons are subjects of the same Native State, it shall be in the discretion of a Court of original criminal jurisdiction to decline to exercise the powers hereby conferred.

PART III —CIVIL JURISDICTION

For the purposes of civil jurisdiction the following arrangements shall be made, namely .—

Within the lands occupied by the Railways, as aforesaid, the officers mentioned in the corresponding entries in the eighth, ninth, tenth and eleventh columns of the schedule shall exercise, respectively, for all purposes connected with the administration of civil justice—

- (a) The powers of a Court of Small Causes as described in the Provincial Small Cause Courts Act, 1887,
- (b) the powers of a Subordinate Judge of the second class as described in the Bombay Civil Courts Act, 1869, as in force in the said lands ;
- (c) the powers of a Subordinate Judge of the first class as so described ;
- (d) the powers of a District Judge as so described , and
- (e) the powers of a High Court

II.—The following notifications of the Government of India in the Foreign Department are hereby cancelled in so far as they relate to the said lands, namely :—

(Not reprinted)

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or authorized, jurisdictions conferred or confirmed, rules made, orders passed, and things done under any of the notifications hereby superseded in the aforesaid lands shall be, so far as may be, deemed to have been respectively commenced, appointed or authorized, conferred or confirmed, made, passed, and done under this notification.

FIRST SCHEDULE

1	2	3	4	5	6	7	8	9	10	11
Railway	State	District	CRIMINAL JURISDICTION				CIVIL JURISDICTION			
			Magistrate with powers conferred on the first class	District Magistrate with powers conferred on the first class	Court of Sessions	High Court	Court of Small Causes	Subordinate Judge of the first class	District Court	High Court
Pala n p u r Deesa Rail- way	Palanpur	Ahmedabad	The Deputy Assistant Political Agent, Palanpur	The Political Agent, Palanpur	The Political Agent, Palanpur	The Commissioner, Revenue, District, Bombay	The Assistant Political Agent, Palanpur	The Assistant Political Agent, Palanpur	The Political Agent, Palanpur	The Commis- sioner, Southern Division, Bombay
			Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
			Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
Kolhapur Railway	Kolhapur (Sancor)	Satara	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Commis- sioner, Southern Division, Bombay
			Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
			Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
Sancor Rail- way	Sancor (Sancor)	Belgaum	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Assistant Political Agent, Southern Maratha Country States	The Commis- sioner, Southern Division, Bombay
			Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
			Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto

[Gazette of India, 1913, Pt. I, p. 349.]

No. 766-I B }
No 787-I B }

dated the 9th April 1913.—Printed in Appendix XII A

Lists of Courts¹
established or
continued by the
Governor General
in Council,
including the Civil
Courts of these
Railways, to which
Courts in British
India may send
summonses under
the Civil Procedure
Code, for service and
decrees for execution

² No. 1366-I, dated the 29th March 1889

² No 1367-I, dated the 29th March 1889

No 1368-I, dated the 29th March 1889

No 2182-I, dated the 2nd July 1890.

No. 397-I B., dated the 25th February 1910.

—Printed in Appendix XII A

Service by the Civil
Courts of these
Railways of
summonses—

(a) of Civil or
Revenue Courts in
British India;
(b) of other Courts
established or
continued by the
Governor-General in
Council,
(c) of Civil or
Revenue Courts of
Hyderabad, Mysore,
Central India States,
States in the political
control of the
Bombay Government
and Baroda

Execution by the
Civil Courts of these
Railways of
decrees—

³ No 1363-I, dated the 29th March 1889

No 1364-I, dated the 29th March 1889.

No. 4051-I A, dated the 18th September 1902

No 399-I B., dated the 25th February 1910.

—Printed in Appendix XII A

(a) of other Courts
established or
continued by the
Governor-General in
Council,
(b) of certain
Courts of Mysore,
States in the political
control of the
Bombay Government
and Baroda

¹ These Courts may send their summonses and decrees to Courts in British India for service and execution, *see* sections 29 and 43 of the Code of Civil Procedure 1908 (V of 1908) Printed General Acts, Vol VI, Ed 1908, p 138

² *See* also modification (2) } in the Code of Civil Procedure, 1908, as applied to these Railways.

³ *See* also modification (8) } Printed *supra*, p. 48.

Service of summonses of the Civil Courts of these Railways¹—

(a) by other Courts established or continued by the Governor-General in Council ; *No. 1367-I, dated the 29th March 1889* —Printed in Appendix XII A.

(b) by Civil Courts of the Baroda and Mysore States *No. 398-I B., dated the 26th February 1910* } —Printed in Appendix XII C.
No. 2622-I B., dated the 24th December 1912. }

Execution of decrees of the Civil Courts of these Railways²—

(a) by other Courts established or continued by the Governor-General in Council *No. 1363-I, dated the 29th March 1889* —Printed in Appendix XII A

(b) Civil Courts of the Baroda and Mysore States *No. 2623-I B., dated the 24th December 1912* —Printed in Appendix XII C

¹See footnote 1 on the previous page

Railways in Kathiawar

C The Railways in Kathiawar exhibit this difference that, whereas jurisdiction has been fully ceded over most lines, in some¹ instances the cession of civil jurisdiction is restricted. This accounts for certain restrictions in the Acts applied to, and in the powers of the Civil Courts established for, the various lines. But otherwise the arrangements are the same throughout.

The following British enactments are in force :—

I—Statutes.—*See* Appendix I.

II—Acts of the Governor-General in Council—*See* Appendix II

III.—Orders under Statutes

28 Vict., c 15.

No. 853-I B., dated the 16th April 1913—Printed in Appendix IV.

58 and 54 Vict.,
c 87

² The Indian (Foreign Jurisdiction) Order in Council, 1902.—*See* Appendix III

Indian Divorce Act,
1869

IV—Orders under Acts of the Governor-General in Council

Agent to the
Governor for
Kathiawar appointed
District Judge for
the purposes of the
Act.

No. 2017-I., dated the 15th June 1886—Printed Vol. IV, page 47

Indian Christian
Marriage Act, 1872

Appointment of
Marriage Registrar
licensed to grant
certificates of
marriage between
Native Christians

No.— , dated the 5th November 1874 }

—Printed in Appendix V

Fees and Rules

No — , dated the 9th April 1873
No — , dated the 7th October 1874 }

¹ *See* footnote 3 on p. 3, *supra*

² For the delegation of powers under this Order in Council to the Governor of Bombay in Council, *see* notification No. 2859 I A, dated the 19th June 1903. Printed in Appendix III

No. 3102, dated the 16th August 1909.—Printed in Appendix XVII

(The Indian Arms Rules, 1909)

Indian Arms Act,
1878

Exemption of certain persons from certain prohibitions and directions contained in the Act

Rules regarding the export of arms and ammunition from, and their import into, British India

Indian Income-tax Act, 1886,

No. 4124, dated the 2nd December 1902—Printed in Appendix VII

The Agent to the Governor, Kathiawar, invested with certain powers of a Collector under the Act

Births, Deaths and Marriages Registration Act, 1886

No. 4227-I, dated the 31st October 1889.—Printed in Appendix VIII.

Officers appointed Registrars of Births and Deaths, and the Registrar-General, Bombay, appointed Registrar General

No. 1173, dated the 19th July 1888.—Printed in Appendix VIII

Fees and rules,

Indian Stamp Act, 1859

No. 3616-Exc, dated the 16th July 1909—Printed *supra*, page 16

Remission of duty in British India on instruments executed and properly stamped in the railway lands.

No. 341, dated the 11th August 1904.—Printed *supra*, page 17

Indian Foreign Marriage Act, 1908.
Fees.

No. 717, dated the 20th August 1904—Printed in Appendix X.

Indian Universities Act, 1904
Inclusion of Kathiawar in the territorial limits of Bombay University

No. 855-I.B., dated the 16th April 1913.

}—Printed in Appendix VI.

No. 3542-I., dated the 27th August 1891.

Administrator-General's Act, 1874.

Inclusion of Kathiawar in the Presidency of Bombay

Exercise of the powers and duties of a District Judge under the Act

V—Acts locally applied

Indian Railways Act, 1890, and Indian Railway Board Act, 1905, applied to all Railways in Kathiawar Acts applied to all Railways in Kathiawar except¹ Bhavnagar Railway in States of Baroda, Bhavnagar, Limbdi, Wadhwan, Chunda and Valsad Gondal Porbandar Railways, Dhasa-Dhoraj section excluding length in Vithalgarh Junagarh Railway in Gondal and Junagarh.

No 3524-I, dated the 5th September 1889 } —Printed in Appendix
No 784-I B., dated the 9th April 1913 } XVIII

No 781-I B., dated the 9th April 1913—Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the railway lands specified in² notification No. 780-I B., dated the 9th April 1913, and over all persons and things whatsoever within the said lands.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to apply to the said lands (hereinafter styled “the Railway Lands”) the enactments specified in the schedule hereto annexed, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India.

Provided, first, that in the enactments as so applied, references to a Local Government shall be read as referring to the Governor of Bombay in Council references to the Chief Controlling Revenue Authority as referring to the Agent to the Governor in Kathiawar references to a High Court as referring to the Court of the Agent to the Governor in Kathiawar and, except where the context or the modifications hereinafter referred to otherwise require, references to British India or a province or the territories subject to a Local Government as referring to the Railway Lands.

Provided, secondly, that the further modifications and restrictions set forth in the said schedule shall be made in the said enactments as so applied.

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the Railway Lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary or proper to adapt them to the matter before the Court.

Provided, fourthly, that the Governor of Bombay in Council may direct by what officer any authority or power under the said enactments shall be exercisable.

II The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each —

(Not reprinted)

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or

¹ See footnote 8 on page 3, *supra*

² Printed *infra*, p. 71

authorised, jurisdictions or powers conferred or confirmed, notifications published, rules made, orders passed, and things done under any of the enactments specified in the notifications hereby superseded in the Railway Lands, shall, so far as may be, be deemed to have been respectively commenced, appointed, or authorised, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

SCHEDULE

Enactments applied	Further modifications and restrictions						
1. The Interest Act, 1889 (XXXII of 1889)							
2. The Indian Penal Code (Act XLV of 1860)	In section 75 the words "British India" shall be read as referring to British India and the Railway Lands						
3. The Police Act, 1861 (V of 1861)	(1) The Act shall apply only to the lands occupied by the Bombay Baroda and Central India Railway (2) In section 1 for the first paragraph the following shall be substituted. — "The words 'Magistrate of the district' shall mean the officer exercising within the railway lands in question the powers of a District Magistrate as described in the Code of Criminal Procedure, 1898" (3) In section 34 for the words "road or in any open place or street or thoroughfare within the limits of any town" the words "railway lands" shall be substituted						
4. The Indian Succession Act, 1865 (X of 1865)	(1) In section 8, the definition of "British India" and the word 'therein' in the definition of "High Court" shall be omitted (2) Sections 242-A. and 264 and the proviso to section 242, shall be omitted						
5. The Court-fees Act, 1870 (VII of 1870).	(1) In section 19-H, sub section (2) and the words "other than a High Court" in sub section (1) shall be omitted. (2) In the first schedule the following shall be added. — <table><tr><td>"16 Application for the exercise of revisional jurisdiction under Section 115 of the Code of Civil Procedure, 1908, or section 26 of the Provincial Small Cause Courts Act, 1887</td><td>When the amount or value of the subject matter in dispute does not exceed twenty-five rupees</td><td>Two rupees</td></tr><tr><td></td><td>When such amount or value exceeds twenty five rupees</td><td>The fee leviable on a memorandum of appeal."</td></tr></table>	"16 Application for the exercise of revisional jurisdiction under Section 115 of the Code of Civil Procedure, 1908, or section 26 of the Provincial Small Cause Courts Act, 1887	When the amount or value of the subject matter in dispute does not exceed twenty-five rupees	Two rupees		When such amount or value exceeds twenty five rupees	The fee leviable on a memorandum of appeal."
"16 Application for the exercise of revisional jurisdiction under Section 115 of the Code of Civil Procedure, 1908, or section 26 of the Provincial Small Cause Courts Act, 1887	When the amount or value of the subject matter in dispute does not exceed twenty-five rupees	Two rupees					
	When such amount or value exceeds twenty five rupees	The fee leviable on a memorandum of appeal."					
6. The Cattle-trespass Act, 1871 (I of 1871)							
7. The Indian Evidence Act, 1872 (I of 1872)	In sections 51, 74, 78 and 79 the words "British India" shall be read as referring to British India, the Railway Lands and areas outside British India under the administration of the Governor-General in Council						
8. The Indian Contract Act, 1872 (IX of 1872).							
9. The Indian Oaths Act, 1873 (X of 1873)							

SCHEDULE—*contd.*

Enactments applied	Further modifications and restrictions
10 The Probate and Administration Act, 1881 (V of 1881).	Sections 80 and 87, and the proviso to section 59 shall be omitted.
11. The Indian Telegraph Act, 1885 (XIII of 1885)	
12. The Provincial Small Cause Courts Act, 1887 (IX of 1887)	In section 25 before the words "High Court" the words "District Court or the" shall be inserted
13 The Police Act, 1888 (III of 1888)	The Act shall apply only to the lands occupied by the Bombay, Baroda and Central India Railway.
14. The Succession Certificate Act, 1889 (VII of 1889)	<p>(1) Every Subordinate Judge of the first class shall exercise the functions of a District Court under the Act</p> <p>(2) For section 17 the following shall be substituted —</p> <p>"17 Where a certificate in the form of the second schedule to this Act has been granted under the Succession Certificate Act, 1889, by a Court having jurisdiction under the Act in British India, or under the Act as applied in any area outside British India which is under the administration of the Governor-General in Council, or where a certificate in the form, as nearly as circumstances admit, of the said schedule has been granted to a resident within a foreign State by the British representative accredited to the State, or where a certificate so granted has been extended in such form by such Court or by such representative, the certificate shall have the same effect as a certificate granted or extended under this Act."</p>
15 The Revenue Recovery Act, 1890 (I of 1890)	<p>(1) In section 2 for clause (1) the following shall be substituted —</p> <p>"(1) 'District' means any area which the Governor of Bombay in Council may so appoint."</p> <p>(2) For section 8 the following shall be substituted —</p> <p>"8 The provisions of this Act shall apply equally to —</p> <p>(a) The recovery in the Railway Lands of any arrear of land revenue accruing, or sum recoverable as an arrear of land revenue and payable to a Collector or other public officer or to a local authority, in any part of British India or in any local area which is not part of British India but which is under the administration of the Governor-General in Council and to which the Revenue Recovery Act, 1890, has been applied, and</p> <p>(b) The demand for the recovery in British India or in any such local area of any such arrear accruing, or sum so recoverable and payable, in the Railway Lands"</p>

SCHEDULE—*contd.*

Enactments applied	Further modifications and restrictions
16. The Epidemic Diseases Act, 1897 (III of 1897).	
17. The General Clauses Act, 1897 (X of 1897)	In section 3, clause (7), the words 'British India' shall remain unmodified. But in any other enactment, where this definition would otherwise apply, the words shall be read subject to the provisions of this notification.
18. The Code of Criminal Procedure, 1898 (V of 1898)	<p>(1) In section 9, sub-section (3), after the words "such Courts" the words "and the Agent to the Governor in Kathiawar may so appoint Additional Sessions Judges in respect to particular cases" shall be added</p> <p>(2) Sections 22 to 25 shall be omitted</p> <p>(3) In section 20 the words from "In the territories" to "Assistant Commissioners" shall be omitted</p> <p>(4) Trials before the Court of Sessions shall, except as provided by Chapter XXXIII, be with the aid of assessors of whom three or more shall be chosen, as the Judge thinks fit, from a list prepared as may be directed by the Local Government.</p> <p>(5) In section 308, sub-section (1), after the words "aid of assessors" the words "in which the accused is an European or American" shall be inserted</p> <p>(6) After section 308 the following shall be inserted —</p> <p>"308-A (1. When in a case tried with the aid of assessors, in which the accused is not an European or American, the case for the defence and the prosecutor's reply (if any) are concluded, the Judge may sum up the evidence for the prosecution and defence, and after laying down the law by which the Court is to be guided shall then record his own opinion, and that of each of the assessors, thereon and as to the sentence, if any, to be passed. The majority of the said opinions, or if they are equally divided the opinion which the Judge supports, shall be the finding of the Court.</p> <p>(2) If the Judge does not think it necessary to express disagreement with the finding, he shall give judgment, and if the accused is convicted shall pass sentence on him, accordingly</p> <p>(3) If the Judge disagrees with the finding and is clearly of opinion that it is necessary for the ends of justice to submit the case to the High Court, he shall submit the case accordingly together with the opinions recorded thereon.</p> <p>(4) Whenever the Judge submits a case under this section, he shall suspend judgment and may either remand the accused to custody or admit him to bail.</p> <p>(5) In dealing with the case so submitted the High Court may exercise any of the powers which it may exercise on appeal, and subject thereto it shall, after considering the entire evidence and after giving due weight to the opinions of the Sessions Judge and assessors, acquit or convict the accused of any offence of</p>

SCHEDULE—*contd*

Enactments applied	Further modifications and restrictions
	<p>which the Court of Session could have convicted him upon the charge as framed, and if it convicts him, may pass such sentence as might have been passed by the Court of Session "</p> <p>(7) In sections 350 and 512 the words "Court of Session" shall be substituted for the words "High Court" wherever they occur</p> <p>(8) To section 423 the following sub-section shall be added —</p> <p>" (3) Every order of a Sessions Judge on an appeal from a sentence or order of a District Magistrate shall be subject to confirmation by the High Court and the High Court when such an order is submitted, may either confirm the same with or without further enquiry or pass any other order which the Court of Session could have passed</p> <p>(9) In section 438, sub-section (1), the words "Sessions Judge or," shall be omitted and for the words "High Court" the words "Court of Session" shall be substituted.</p> <p>(10) In sub-sections (1) and (4) of section 489 and in sub-sections (1), (2), (8) and (8) of section 526, before the words "High Court," in each place where they occur, the words "Court of Session or the" shall be inserted. Sub-section (4) of Section 526 shall be omitted</p> <p>(11) In section 503, sub-section (1), after the words "such attendance and" the words "if such witness resides in any area to which this Code applies or in British India" shall be inserted.</p> <p>(12) Nothing in the Code as applied shall be deemed to apply to proceedings against European British subjects or persons charged jointly with European British subjects</p>
19 The Indian Post Office Act, 1898 (VI of 1898).	
20 The Indian Stamp Act, 1899 (II of 1899).	<p>(1) Sections 57, 58 and 59 shall be omitted.</p> <p>(2) In section 60, sub-section (1), the words "other than a Court mentioned in section 57" and "or Chief Court, refer the same" shall be omitted</p> <p>(3) In section 60, sub-section (2), the words "as if it had been referred under section 57" and "under the seal another like copy" shall be omitted</p>

SCHEDULE—*contd.*

Enactments applied	Further modifications and restrictions.
21 The Provincial Insolvency Act, 1907 (III of 1907)	Every Subordinate Judge of the first class shall exercise the jurisdiction of a District Court under the Act
22 The Code of Civil Procedure, 1908 (V of 1908)	<p>(1) In section 2, sub-section (5), section 10 and rule 49, sub-rules (4) and (5), of Order XXI in the First Schedule the words "British India" shall be read as referring to British India and the Railway Lands</p> <p>(2) In the proviso to section 29 after the word "summonses" the words "situate in British India or" shall be inserted</p> <p>(3) For section 43 the following shall be substituted —</p> <p style="padding-left: 40px;">"43 Any decree passed by a Civil Court in British India, or Execution of decrees of by any Court British Courts established or continued by the authority of the Governor-General in Council, may, if it cannot be executed within the jurisdiction of the Court by which it was passed, be executed in the manner herein provided within the jurisdiction of any Court in the Railway Lands"</p> <p>(4) In section 45 after the words "any Court" the words "situate in British India or" shall be inserted</p> <p>(5) In section 78 for clause (b) the following shall be substituted —</p> <p style="padding-left: 40px;">"Courts situate in British India or in any other part of the British Empire, or"</p> <p>(6) For section 102 the following shall be substituted .—</p> <p style="padding-left: 40px;">"102 No second appeal shall lie—</p> <p style="padding-left: 80px;">(a) in any suit of the nature cognizable by Courts of Small Causes, where the amount of value of the subject-matter of the original suit does not exceed one thousand rupees, or</p> <p style="padding-left: 80px;">(b) in any suit, relating to moveable property, and not of the nature cognizable by Courts of Small Causes, if the appellate decree affirms the decision of the lower Court"</p>

SCHEDULE—*contd*

Enactments applied	Further modifications and restrictions
	<p>(7) In section 115 before the words "High Court," in each place where they occur, the words "District Court or" shall be inserted</p> <p>(8) To rule 25 of Order V in the First Schedule the following shall be added —</p> <p>"Provided that, if the defendant resides in British India, the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides and if the Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be deemed to be evidence of service"</p> <p>(9) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the Railway Lands</p>
23 The Explosive Substances Act, 1908 (IX of 1908)	In section 4 for the words "British India" in each place where they occur, the word "India" shall be substituted
24 The Indian Limitation, Act, 1908 (IX of 1908)	<p>(1) In section 13, the words "British India" shall be read as referring to British India and Kathiawar including the Railway Lands</p> <p>(2) In Article 150 in the First Schedule for the word "Seven" the words "Twenty one" shall be substituted</p>
25 The Indian Registration Act, 1908 (XVI of 1908)	<p>(1) In section 33 the words "British India" shall remain unmodified</p> <p>(2) In section 33, sub-section (1), after the words "executing the power-of attorney resides" in clause (a) and after the words "does not reside" in clause (c), the words "in the Railway Lands or" shall be added</p>
26 The Whipping Act, 1909 (IV of 1909).	Section 6 shall be omitted.

SCHEDULE—*conold.*

Enactments applied	Further modifications and restrictions
<i>Acts of the Governor of Bombay in Council.</i>	
27. The Bombay Prevention of Gambling Act, 1887 (IV of 1887)	<p>For the second and third paragraphs of section 1 the following shall be substituted —</p> <p>"It extends to the Railway Lands except such local areas as the Governor in Council may, from time to time, by notification in the <i>Bombay Government Gazette</i>, exclude from its operation"</p>

[*Gazette of India*, 1913, Pt I, p 361]

No 783-I B, dated the 9th April 1913 — Whereas the Governor-General in Council has full and exclusive criminal jurisdiction and certain civil jurisdiction within the railway lands specified in notification No 782-I B, dated the 9th April 1913

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to apply to the said lands (hereinafter styled "the railway lands") the enactments specified in the schedule hereto annexed in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India

Provided, first, that in the enactments as so applied references to a Local Government shall be read as referring to the Governor of Bombay in Council references to a High Court as referring to the Court of the Agent to the Governor in Kathiawar and, except where the context or the modifications hereinafter referred to otherwise require, references to British India or a province or the territories subject to a Local Government as referring to the railway lands.

Provided, secondly, that the further modifications and restrictions set forth in the said schedule shall be made in the said enactments as so applied

Provided, thirdly, that for the purpose of facilitating the application of the said enactments any Court in the railway lands may construe the provisions thereof, and any notifications, orders, rules, forms or bye-laws thereunder, with such alterations, not affecting the substance, as may be necessary ¹ proper to adapt them to the matter before the Court.

Acts applied to¹
Bhavnagar Railway
in States of Baroda,
Bhavnagar, Limbdi,
Wadhwan, Chunda and
Vada
Gondal-Forbandar
Railway, Dhasa-
Dhoraji section,
excluding length in
Vithalgaon
Junagadh Railway
in Gondal
and Junagadh.

¹ See footnote 3 on page 8, *supra*.

² Printed p. 76, *infra*.

Provided, fourthly, that the Governor of Bombay in Council may direct by what officer any authority or power under the said enactments shall be exercisable.

II.—The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each. —

(Not republished.)

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that, save as aforesaid, all proceedings commenced, officers appointed or authorized, jurisdictions or powers conferred or confirmed, notifications published, rules made, orders passed, and things done under any of the enactments specified in the notifications hereby superseded in the railway lands shall, so far as may be, be deemed to have been respectively commenced, appointed or authorized, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

SCHEDULE

Enactments applied.	Further modifications and restrictions.						
1 The Interest Act, 1839 (XXXII of 1839).							
2 The Indian Penal Code (Act XLV of 1860)	"In section 75 the words "British India" shall be read as referring to British India and the railway lands						
3 The Court-fees Act, 1870 (VII of 1870)	In the first schedule the following shall be added — <table><tr><td>"16 Application for the exercise of revisional jurisdiction under section 116 of the Code of Civil Procedure, 1908, or section 25 of the Provincial Small Cause Courts Act, 1897</td><td>When the amount or value of the subject matter in dispute does not exceed twenty-five rupees</td><td>Two rupees.</td></tr><tr><td></td><td>When such amount or value exceed twenty five rupees.</td><td>The fee leviable on a memorandum of appeal."</td></tr></table>	"16 Application for the exercise of revisional jurisdiction under section 116 of the Code of Civil Procedure, 1908, or section 25 of the Provincial Small Cause Courts Act, 1897	When the amount or value of the subject matter in dispute does not exceed twenty-five rupees	Two rupees.		When such amount or value exceed twenty five rupees.	The fee leviable on a memorandum of appeal."
"16 Application for the exercise of revisional jurisdiction under section 116 of the Code of Civil Procedure, 1908, or section 25 of the Provincial Small Cause Courts Act, 1897	When the amount or value of the subject matter in dispute does not exceed twenty-five rupees	Two rupees.					
	When such amount or value exceed twenty five rupees.	The fee leviable on a memorandum of appeal."					
4 The Cattle-trespass Act, 1871 (I of 1871)							
5 The Indian Evidence Act, 1872 (I of 1872).	In sections 57, 74, 78 and 79 the words "British India" shall be read as referring to British India, the railway lands and areas outside British India under the administration of the Governor General in Council						
6 The Indian Contract Act, 1872 (IX of 1872)							

SCHEDULE—*contd.*

Enactments applied	Further modifications and restrictions
<p>7 The Indian Oaths Act, 1873 (X of 1873)</p> <p>8 The Indian Telegraph Act, 1886 (XIII of 1886)</p> <p>9. The Provincial Small Cause Courts Act, 1887 (IX of 1887).</p> <p>10 The Epidemic Diseases Act, 1897 (III of 1897)</p> <p>11 The General Clauses Act, 1897 (X of 1897)</p>	<p>In section 25 before the words " High Court " the words " District or " shall be inserted.</p> <p>In section 8, clause (7), the words " British India " shall remain unmodified, but in any other enactment, where this definition would otherwise apply, the words shall be read subject to the provisions of this notification.</p>
<p>12. The Code of Criminal Procedure, 1898 (V of 1898)</p>	<p>(1) In section 9, sub-section (3), after the words " such Courts " the words " and the Agent to the Governor in Kathiawar may so appoint Additional Sessions Judges in respect to particular cases " shall be added</p> <p>(2) Sections 22 to 26 shall be omitted</p> <p>(3) In section 40 the words from " In the territories " to " Assistant Commissioners " shall be omitted</p> <p>(4) Trials before the Court of Session shall, except as provided by Chapter XXXIII, be with the aid of assessors of whom three or more shall be chosen, as the Judge thinks fit, from a list prepared as may be directed by the Local Government</p> <p>(5) In section 309, sub-section (1), after the words " aid of assessors " the words " in which the accused is an European or American " shall be inserted</p> <p>(6) After section 309 the following shall be inserted —</p> <p>" 309 A (1) When in a case tried with the aid of assessors, in which the accused is not an European or American, the case for the defence and the prosecutor's reply (if any) are concluded, the Judge may sum up the evidence for the prosecution and defence and after laying down the law by which the Court is to be guided shall then record his own opinion, and that of each of the assessors, thereon and as to the sentence, if any, to be passed. The majority of the said opinions, or if they are equally divided the opinion which the Judge supports, shall be the finding of the Court.</p>

SCHEDULE—*contd*

Enactments applied	Further modifications and restrictions
	(2) If the Judge does not think it necessary to express disagreement with the finding, he shall give judgment, and if the accused is convicted shall pass sentence on him accordingly
	(3) If the Judge disagrees with the finding and is clearly of opinion that it is necessary for the ends of justice to submit the case to the High Court, he shall submit the case accordingly together with the opinions recorded thereon
	(4) Whenever the Judge submits a case under this section, he shall suspend judgment and may either remand the accused to custody or admit him to bail
	(5) In dealing with the case so submitted the High Court may exercise any of the powers which it may exercise on appeal, and subject thereto it shall, after considering the entire evidence and after giving due weight to the opinions of the Sessions Judge and the assessors, acquit or convict the accused of any offence of which the Court of Session could have convicted him upon the charge as framed and if it convicts him may pass such sentence as might have been passed by the Court of Session "
	(7) In sections 350 and 512 the words "Court of Session " shall be substituted for the words " High Court " wherever they occur
	(8) To section 423 the following shall be added — “(3) Every order of a Sessions Judge on an appeal from a sentence or order of a District Magistrate shall be subject to confirmation by the High Court, and the High Court, when such an order is submitted, may either confirm the same with or without further enquiry or pass any other order which the Court of Sessions could have passed ”
	(9) In section 434, sub-section (1), the words "Sessions Judge or " shall be omitted and for the words " High Court " the words "Court of Session " shall be substituted
	(10) In sub-sections (1) and (4) of section 439 and in sub-sections (1), (2), (3) and (5) of section 526, before the words " High Court " in each place where they occur, the words " Court of Session or the " shall be inserted. Sub section (4) of section 526 shall be omitted.

SCHEDULE—*contd.*

Enactments applied	Further modifications and restrictions.
	<p>(11) In section 503, sub-section (1), after the words "such attendance and" the words "if such witness resides in any area to which this Code applies or in British India" shall be inserted.</p> <p>(12) Nothing in this Code as applied shall be deemed to apply to proceedings against European British subjects or persons charged jointly with European British subjects.</p>
13 The Indian Post Office Act, 1898 (VI of 1898).	
14 The Provincial Insolvency Act, 1907 (III of 1907).	Every Subordinate Judge of the first class shall exercise the jurisdiction of a District Court under the Act.
15 The Code of Civil Procedure, 1908 (V of 1908)	<p>(1) In section 2, sub-section (5), section 10 and rule 49, sub-rules (4) and (5) of Order XXI in the First Schedule the words "British India" shall be read as referring to British India and the railway lands.</p> <p>(2) In the proviso to section 29 after the word "summonses" the words "are situate in British India or" shall be inserted.</p> <p>(3) Section 48 shall be omitted.</p> <p>(4) In section 45 after the words "any Court" the words "situate in British India or" shall be inserted.</p> <p>(5) In section 78 for clause (b) the following shall be substituted,—</p> <p style="padding-left: 40px;">“(b) Courts situate in British India or in any other part of the British Empire, or”</p> <p>(6) For section 102 the following shall be substituted—</p> <p style="padding-left: 20px;">‘102 No second appeal shall lie—</p> <p style="padding-left: 40px;">(a) in any suit of the nature cognizable by certain suits in Court of Small Causes when the amount or value of the subject-matter of the original suit does not exceed one thousand rupees, or</p> <p style="padding-left: 40px;">(b) in any suit relating to movables property and not of the nature cognizable by Courts of Small Causes, if the appellate decree affirms the decision of the Lower Court’</p>

SCHEDULE—*concl'd*

Enactments applied	Further modifications and restrictions
	<p>(7) In section 115 before the words "High Court," in each place where they occur, the words "District Court or" shall be inserted</p> <p>(8) To rule 25 of Order V in the First Schedule the following shall be added —</p> <p>"Provided that, if the defendant resides in British India, the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides and if the Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be deemed to be evidence of service."</p> <p>(9) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the railway lands</p>
16. The Explosive Substances Act, 1908 (VI of 1908)	In section 4 for the words "British India," in both places where they occur, the word "India" shall be substituted
17. The Indian Limitation Act, 1908 (IX of 1908)	<p>(1) In section 13, the words "British India" shall be read as referring to British India and Kathiawar including the railway lands</p> <p>(2) In Article 130 in the First Schedule for the word "Seven" the words "Twenty-one" shall be substituted</p>
18. The Whipping Act, 1909 (IV of 1909)	Section 6 shall be omitted.
<i>Acts of the Governor of Bombay in Council</i>	
19. The Bombay Prevention of Gambling Act, 1887 (IV of 1887)	<p>For the second and third paragraphs of section 1, the following shall be substituted —</p> <p>"It extends to the railway lands except such local areas as the Governor in Council may from time to time, by notification in the <i>Bombay Government Gazette</i>, exclude from its operation"</p>

[*Gazette of India*, 1918, Pt I, p. 371.]

VI—Orders relating to Courts.

No 1431-I, dated the 27th April 1893.—Printed in Appendix XIII.

Execution of capital sentences in British India

No. 1863-I A, dated the 13th May 1904.—Printed in Appendix IV

Criminal law and procedure of British India applicable to British subjects in Native States

No 853-I B, dated the 16th April 1913.—Printed in Appendix IV.

High Court at Bombay to exercise jurisdiction over European British subjects.

No 2616-I, dated the 6th August 1890 }
No. 132, dated the 27th June 1873 } —Printed in Appendix IV

Justices of the Peace to commit to the High Court at Bombay or to the Sessions Court, Ahmedabad.

No 680-I B, dated the 19th March 1912.—Printed in Appendix IV

Justices of the Peace invested with power of Magistrates of the first class and to hold inquests

No 132, dated the 27th June 1873.—Printed in Appendix IV

Appointments of Justices of the Peace,

No. 780-I B, dated the 9th April 1913.—Whereas the Governor General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands

Constitution of Civil and Criminal Courts except for the trial of European British subjects or persons jointly charged with such subjects, for the Railways in Kathiawar over which there is full session of jurisdiction.¹

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the said lands

PART I.—CRIMINAL JURISDICTION

For the purposes of criminal jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely —

Within the lands occupied by the Railways, as aforesaid, the officers mentioned in the corresponding entries in the third, fourth, fifth

¹ See footnote 3 on p 8, *supra*

and sixth columns of the schedule shall exercise, respectively,—

- (a) the powers of a Magistrate of the first class,
- (b) the powers of a District Magistrate, including all powers conferrable on a District Magistrate,
- (c) the powers of a Court of Session, and
- (d) the powers of a High Court,

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

PART II—CIVIL JURISDICTION.

For the purposes of civil jurisdiction the following arrangements shall be made, namely —

- (1) Within the lands occupied by the Railways, as aforesaid, the officers mentioned in the corresponding entries in the seventh, eighth, ninth and tenth columns of the schedule shall exercise, respectively, for all purposes connected with the administration of civil justice—

- (a) the powers of a Court of Small Causes with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, as for the time being in force in the said lands, when the amount or value of the subject-matter does not exceed two hundred rupees and one thousand rupees, respectively,
- (b) the powers of a Subordinate Judge of the second class, as described in the Bombay Civil Courts Act, 1869,
- (c) the powers of a Subordinate Judge of the first class, as so described including all the powers of a District Judge under the Indian Succession Act, 1865, and the Probate and Administration Act, 1881, with which a Subordinate Judge may be invested, and
- (d) the powers of a District Judge, as so described.

Provided, first, that all appeals from decrees and orders of Subordinate Judges (including orders made under the Indian Succession Act, 1865, or the Probate and Administration Act, 1881) shall lie to the District Judge,

Provided, secondly, that the District Judge shall have and may exercise the powers of a High Court under section 115 of the Code of Civil Procedure 1908, in respect of any case which has been decided by a Subordinate Judge and in which no appeal lies.

- (2) All appeals provided for by the enactments for the time being in force in the said lands, from the decrees and orders of the District Judge shall lie to the Agent to the Governor in Kathawar who shall exercise the powers of a High Court for all purposes connected with the administration of civil justice within the said lands

II The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each, namely :—

(Not republished)

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued

Dhoraji-Forbandar	Gondal Navsagar	The Deputy Assistant Political Agent in Halar.	The Political Agent in Halar.	Ditto	Ditto	The Deputy Assistant Political Agent in Halar.	The Political Agent in Halar.	Ditto	Ditto
Forbandar		The Deputy Assistant Political Agent in South.	The Political Agent in South.	Ditto	Ditto	The Deputy Assistant Political Agent in South.	The Political Agent in South.	Ditto	Ditto
5 Jamsagar Railway	Dhoraji Jala Navsagar Rajkot	The Deputy Assistant Political Agent in Halar.	The Political Agent in Halar.	Ditto	Ditto	The Deputy Assistant Political Agent in Halar.	The Political Agent in Halar.	Ditto	Ditto
6 Jalamar-Rajkot Railway	Gadhwa Gadhwa Kodra Sangam Kotharia Kotharia Rajkot Rajkot Vinnar	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto	Ditto
7 Jamsagar Railway (Shahpur Kriana)	Jamsagar Shahpur Kriana	The Deputy Assistant Political Agent in South.	The Political Agent in South.	Ditto	Ditto	The Deputy Assistant Political Agent in South.	The Political Agent in South.	Ditto	Ditto
8 Morvi Railway	Dhoraji Gadhwa Kotharia Rajkot Wankar	The Deputy Assistant Political Agent in Halar.	The Political Agent in Halar.	Ditto	Ditto	The Deputy Assistant Political Agent in Halar.	The Political Agent in Halar.	Ditto	Ditto
	Dhoraji Kotharia Rajkot Wankar	The Deputy Assistant Political Agent in Halar.	The Political Agent in Halar.	Ditto	Ditto	The Deputy Assistant Political Agent in Halar.	The Political Agent in Halar.	Ditto	Ditto

Constitution of Civil and Criminal Courts, except for the trial of European British subjects or persons jointly charged with such subjects, for the Railways in Kathiawar in which there is not complete cession of civil jurisdiction¹

No. 782-I B, dated the 9th April 1913.—Whereas the Governor General in Council has full and exclusive criminal jurisdiction within the lands lying within the States specified in the second column of the schedule hereto annexed which are occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands :

And whereas the Chiefs of the said States have agreed that all suits of a civil nature against the administrations of the said Railways respecting loss of or damage to goods or injury to persons arising within the said lands lying within their respective States shall be heard and decided in the Kathiawar Political Agency Courts, provided that the Maharaja of Bhavnagar as proprietor of the Bhavnagar Railway or the State of Bhavnagar, or the Nawab of Junagarh as proprietor of the Junagarh Railway or the State of Junagarh shall not be directly impleaded in such cases, but the Railway management as represented by the Manager, and that any decrees that may be passed shall be executed against the railway property and not against the said Chiefs or States and whereas the Chiefs of Junagarh and Gondal have further agreed that all suits of a civil nature arising within the lands occupied by the Jetalsar-Veraval section of the Junagarh Railway out of the application of the Indian Railways Act, 1890 (IX of 1890), thereto shall similarly be heard and decided, subject to a like proviso

And whereas the Governor General in Council has certain civil jurisdiction within the said lands lying within the States of Bantva, Chuda, Jetpur, Kotda Pitha, Lathi and Vala .

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor General in Council is pleased to provide as follows for the administration of justice within the said lands :—

PART I — CRIMINAL JURISDICTION.

For the purposes of criminal jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely —

Within the lands occupied by the Railways, as aforesaid, the officers mentioned in the corresponding entries in the third, fourth, fifth and sixth columns of the schedule shall exercise, respectively,—

(a) the powers of a Magistrate of the first class,

¹ See footnote 3 on p. 3, *supra*

- (b) the powers of a District Magistrate, including all powers conferable on a District Magistrate,
 - (c) the powers of a Court of Session, and
 - (d) the powers of a High Court,
- as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands.

PART II — CIVIL JURISDICTION

For the purposes of civil jurisdiction the following arrangements shall be made, namely —

- (1) Within the lands occupied by the Railways, as aforesaid, the officers mentioned in the corresponding entries in the seventh, eighth, ninth and tenth columns of the schedule shall exercise, respectively,—
 - (a) the powers of a Court of Small Causes with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, as for the time being in force in the said lands, when the amount or value of the subject-matter does not exceed two hundred rupees and one thousand rupees, respectively,
 - (b) the powers of a Subordinate Judge of the second class, as described in the Bombay Civil Courts Act, 1869,
 - (c) the powers of a Subordinate Judge of the first class, as so described and the powers of an Assistant Judge,
 - (d) the powers of a District Judge, as so described

Provided, first, that all appeals from decrees and orders of Subordinate Judges shall lie to the District Judge

Provided, secondly, that the District Judge shall have and may exercise the powers of a High Court under section 115 of the Code of Civil Procedure, 1908, in respect of any case which has been decided by a Subordinate Judge and in which no appeal lies

- (2) All appeals provided for by the enactments for the time being in force in the said lands, from the decrees and orders of the District Judge shall lie to the Agent to the Governor in Kathiawar who shall exercise the powers of a High Court.
- (3) These powers shall only be exercised—
 - (1) in suits against the administrations of the said Railways or arising out of the application of the Indian Railways Act, 1890, as specified in the preamble to this notification, and

(ii) in other suits arising in the said lands lying within the following States only if the amount or value of the subject-matter exceeds the following sums, respectively —

	Rs.
Chuda, Vala and Jetpur (Devli and Vadia) . . .	20,000
Lathi and Jetpur (Vala Kanthad Naga)	10,000
Bantva and Jetpur (Vala Unad Godad, Vala Ala Bhima, and Nawania)	5,000
Kotda Pitha and Jetpur (except the above-named and non-judicial shareholders)	500

II.—The following notifications of the Government of India in the Foreign Department are hereby cancelled to the extent noted against each :—

(Not re-printed)

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued

List of Courts¹
established or
continued by the
Governor General in
Council, including
the Civil Courts on
Railways in
Kathawar in which
there is full cession
of jurisdiction,
to which Courts in
British India may
send summonses
under the Civil
Procedure Code
for service and do
crees for execution—

Service by the
Civil Courts of
Railways in
Kathawar in which
there is full cession
of civil jurisdiction
of summonses—

(a) of Civil or
Revenue Courts in
British India,

No. 787-I.B., dated the 9th April 1913.—Printed in Appendix XIIA

² *No. 1366-I., dated the 29th March 1889*

(b) of other³ Courts
established or
continued by the
Governor General in
Council;

² *No. 1367-I., dated the 29th March 1889*

(c) of Civil or
Revenue Courts of
Hyderabad, Mysore,
Central India States,
States in the political
control of the Bom-
bay Government and
Baroda

No. 1368-I., dated the 29th March 1889.

No. 2182-I., dated the 2nd July 1890

No. 397-I.B., dated the 25th February 1910.

Printed in Appendix XIIA.

Execution by the
Civil Courts of
Railways in
Kathawar in which
there is full cession
of civil jurisdiction
of decrees—

(a) of other⁴ Courts
established or
continued by the
Governor General in
Council,

⁴ *No. 1363-I., dated the 29th March 1889*—Printed in Appendix XIIA.

¹ These Courts may send their summonses and decrees to Courts in British India for service and execution, *see* sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908) Printed General Acts, Vol. VI, Ed 1908, p 183

² For lists of such Courts in other parts of India, *see* notifications Nos 786 and 788 I.B., dated the 9th April 1913 Printed in Appendix XIIA

³ *See also* modification (2) } in the Code of Civil Procedure, 1908, as applied to these Rail-

⁴ *See also* modification (3) } ways Printed p 63, *supra*.

No. 1364-I, dated the 29th March 1889.
No 4051-I A, dated the 18th September 1902
No 399-I B, dated the 25th February 1910

—Printed in Appendix XII A

(b) of certain Courts of Mysore

States in the political control of the Bombay Government and Baroda

Service of summonses of Civil Courts of Railways in Kathiawar in which there is full session of Civil jurisdiction¹—

No 1367-I, dated the 29th March 1889—Printed in Appendix XII A

(a) by other² Courts established or continued by the Governor General in Council;

No 398-I B, dated the 25th February 1910
No. 2622-I.B, dated the 24th December 1912.

—Printed in Appendix XII C

(b) by Civil Courts of the Baroda and Mysore States

Execution of decrees of Civil Courts of Railways in Kathiawar in which there is full session of civil jurisdiction¹—

No 1363-I, dated the 29th March 1889.—Printed in Appendix XII A

(a) by other² Courts established or continued by the Governor General in Council

No 2623-I B, dated the 24th December 1912.—Printed in Appendix XII C

(b) Civil Courts of the Baroda and Mysore States

¹ These Courts may send their summonses and decrees to Courts in British India for service and execution, *see* sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1906). Printed General Acts, Vol VI, Ed 1909, p. 183

² See footnote 2 on the previous page

VII.—Local Laws.

<i>No. —, dated the 2nd October 1873</i> —Printed Vol IV, page 180		Suits Valuation Rules, 1875, in force on Railways in Kathiawar
<i>No —, dated the 3rd October 1873</i> —Printed „ page 182.		Legal Practitioners Rules, 1873, in force on Railways in Kathiawar
<i>No. 44, dated the 23rd December 1875</i> —Printed „ page 191.		Salt Rules, 1875, in force on Railways in Kathiawar
<i>No 3, dated the 7th March 1883</i> —Printed „ page 193		Public Prosecutors Rules, 1883, in force on Railways in Kathiawar
<i>No 32, dated the 15th July 1884.</i> —Printed „ page 200		Salt Rules, 1884, in force on Railways in Kathiawar
<i>No 2651-I, dated the 25th June 1891</i> —Printed in Appendix XV		Publication of newspapers and other printed works
<i>No 1965, dated the 14th March 1896</i> —Printed Vol. IV, page 231.		Kathiawar Agency Police Law, 1886, in force on Railways in Kathiawar other than the Bombay, Baroda and Central India Railway.
<i>No 7, dated the 21st January 1899.</i> —Printed „ page 259		Kathiawar Agency Arms Rules, 1889, in force on all Railways in Kathiawar
<i>No 67, dated the 2nd August 1899</i> —Printed „ page 273.		Opium Rules, 1899, in force on Railways in Kathiawar
<i>No 4797, dated the 2nd August 1905.</i> —Printed „ page 295.		Kathiawar Agency Akbari Rules, 1905, in force on Railways in Kathiawar
<i>No 6359, dated the 17th September 1906.</i> —Printed „ page 97		Refund of value, or exchange, of Court-fee stamps and labels
<i>No. 31, dated the 26th June 1909</i> —Printed „ page 306		Extradition Rules, 1909, in force on Railways in Kathiawar
<i>No. 4174, dated the 21st June 1911</i> —Printed „ page 317		Legal Practitioners Rules, 1911, in force on Railways in Kathiawar.
<i>No. 4942, dated the 19th July 1911</i> —Printed „ page 320.		Non-recognition of equitable mortgages by Courts of Railways in Kathiawar.

NORTH CENTRAL DIVISION¹

The following British enactments are in force in the Railway lands in the North Central Division over which jurisdiction has been ceded² —

I.—Statutes—*See Appendix I.*

II.—Acts of the Governor General in Council.—*See Appendix II.*

III.—Orders under Statutes.

No 853-I B, dated the 16th April 1913 —Printed in Appendix IV

28 Viet, c 15

The Indian (Foreign Jurisdiction) Order in Council, 1902.—Printed in Appendix III

53 and 54 Viet, c 37

IV.—Orders under Acts of the Governor General in Council.

**No. 1105-I.B, dated the 16th May 1912.*

†*No 1069-B, dated the 16th July 1907*

‡*No 4260-I., dated the 26th October 1888.*

§*No. 1704-G, dated the 6th August 1873*

} Printed in Appendix V.

No. 1312, dated the 11th June 1873

No 4262-I., dated the 26th October 1888.

} Printed in Appendix V.

No. 3744-I.B, dated the 1st October 1897.

No 3745-I.B, dated the 1st October 1897

No. 1586-E, dated the 29th August 1899.—Printed in Appendix V

} Printed in Appendix V.

No 3918-I., dated the 25th September 1891 —Printed Vol I, page 97.

Indian Christian Marriage Act, 1872. Officers appointed Marriage Registrars and licensed to grant certificates of marriage between Native Christians in railway lands
*in Central India, generally.
†in Bundelkhand,

‡in Rajputana generally
§in Seohi

Certificates of Marriage Registrars to be sent in Central India to the Agent to the Governor General, in Rajputana to the Commissioner, Ajmer-Merwara

Delegation to the Agent to the Governor General of powers under sections 6, 8 and 9 in Central India

in Rajputana.

Fees European Vagrancy Act, 1874
Provisions brought into force in Central India from the 23rd September 1891

¹ According to the classification *supra*, p 4

² It is to be understood that the enactments cited are in force in all such lands in the Division, except where stated to the contrary

Indian Arms Act,
1878

Exemption of certain
persons in
Native States from
the prohibitions and
directions contained
in the Act

Rules regarding
the export of arms
and ammunition from,
and their import
into, British India

No 3102, dated the 16th August 1909.—Printed in Appendix XVII

(The Indian Arms Rules, 1909)

Indian Income tax
Act, 1886

Officers invested
with the powers of
Collectors for the
purpose of granting
certificates

Births, Deaths and
Marriages Registra-
tion Act, 1886

Appointment of—

(a) Officers to be
Registrars of
Births and
Deaths.

(b) Registrar-
General for
the Central
Provinces to
be Registrar-
General

for Central
India.

Appointment of—

(a) Officers to be
Registrars of
Births and
Deaths

(b) Registrar-
General for
Ajmer Merwara
to be Registrar-
General

for Rajputana.

No 4135-I, dated the 16th September 1887 —Printed in Appendix VII

No. 1103-I.B, dated the 16th May 1912 —Printed in Appendix VIII

No. 2018-I B, dated the 26th September 1912.—Printed in Appendix VIII

Indian Stamp Act,
1899

Remission of duty
in British India on
instruments executed
and properly stamped
in the railway lands.

¹*No 3616-Exc, dated the 16th July 1909.*—In exercise of the powers
conferred by section 9, clause (a), of the Indian Stamp Act, 1899 (II of
1899); * the Governor General in Council is pleased * * to remit the

¹ For notifications securing similar remissions in Administered Areas under British juris-
diction, see Vol. II, pages 111 and 176 and corresponding notifications in Volumes III and IV

duties * chargeable in respect of instruments of the classes hereinafter described —

* * * * *

81 Instrument executed in the areas mentioned in the schedule here-
to attached in respect of which the stamp duty with which it is chargeable
under the stamp law for the time being in force in the said areas has been
paid in accordance with the said law.

SCHEDULE

Areas.

+ * * * *

5 Railway lands within the limits of the Central India and Rajputana
Agencies over which the Governor-General in Council exercises jurisdiction

* * * *

[*Gazette of India*, 1900, Pt. I, p 597.]

No 341, dated the 11th August 1904—Printed *supra* page 17

No 717, dated the 20th August 1904 —Printed in Appendix X.

Letter of the Government of India, No 241, dated the 8th March 1905 —
Printed, Vol. I, page 109.

Letter of the Government of India, No 641-642, dated the 24th July 1906 —
Printed Vol I, page 576

No 855-I B, dated the 16th April 1913 —Printed in Appendix VI.

No 3542-I, dated the 27th August 1891 —Printed in Appendix VI

Indian Foreign
Marriage Act, 1908

Fees

Indian Universities
Act, 1904

Inclusion of Central
India and Rajputana
in the territorial
limits of the Allaha-
bad University

Indian Lunacy Act,
1912

[Reception in the
Asylums] at Nagpur
and Jabalpur of
[lunatics from
railway lands] in
Central India

[Ditto] at Lahore
and Agra of
[ditto] in Raj-
putana

Administrator-
General's Act,
1874

Inclusion of railway
lands in Presidencies
of Bengal and
Bombay for purposes
of the Act.

Exercise of the
powers and duties of
a District Judge
under the Act.

V.—Acts locally applied.

Indian Railways
Act, 1890

Indian Railway
Board General Act,
1905

General Acts

No 784 I B, dated the 9th April 1913 —Printed in Appendix XVIII

No 262-J. B, dated the 10th February 1913 —Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the railway lands specified in notification ¹ No 261-I B, dated the 10th February 1913, and over all persons and things whatsoever therein

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf the Governor-General in Council is pleased to apply to the said lands (hereinafter styled "the Rajputana and Central India Railway Lands") the enactments specified in the first schedule hereto annexed, in so far as the same may be applicable thereto and subject to any amendments to which the enactments are for the time being subject in British India

Provided, first, that in the enactments as so applied references to a Local Government, the Chief Commissioner, or the Chief Controlling Revenue Authority shall be read as referring to the Agent to the Governor-General in Rajputana or the Agent to the Governor-General in Central India, as the case may be, according as the said lands are situate in Rajputana or in Central India references to a Secretary to the Local Government as referring similarly to the First Assistant to the Agent to the Governor-General in Rajputana or the First Assistant to the Agent to the Governor-General in Central India references to a High Court as referring similarly to the Court of the Agent to the Governor-General in Rajputana or the Court of the Agent to the Governor-General in Central India references to a province or the territories subject to a Local Government as referring to such of the said lands as are situate in Rajputana and in Central India, respectively and, except where the context or the modifications hereinafter referred to otherwise require, references to British India as referring to all the said lands

Provided, secondly, that the further modifications and restrictions set forth in the said schedule shall be made in the said enactments as so applied

Provided, thirdly, that for the purposes of facilitating the application of the said enactments any Court in the Rajputana and Central India Railway Lands may construe the provisions thereof and any notifications, orders, rules forms or bye-laws thereunder, with such alterations, not affecting the

¹ Printed *infra* p 96



substance, as may be necessary or proper to adapt them to the matter before the Court.

Provided, fourthly, that subject to the provisions of this notification the Agent to the Governor-General in Rajputana and the Agent to the Governor-General in Central India, as the case may be, may direct by what officer any authority or power under the said enactments shall be exercisable in Rajputana and Central India, respectively

II The notifications of the Government of India in the Foreign Department mentioned in the second schedule¹ hereto annexed are hereby cancelled to the extent noted against each

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued, but that save as aforesaid, all proceedings commenced, officers appointed or authorized, jurisdictions or powers conferred or confirmed, notifications published, rules or bye-laws made, orders passed and things done under any of the enactments specified in the notifications hereby superseded in the Rajputana and Central India Railway Lands, shall be, as far as may be, deemed to have been respectively commenced, appointed or authorized, conferred or confirmed, published, made, passed and done under the corresponding enactments specified in this notification.

First Schedule.

Enactments applied	Further modifications and restrictions.
1. The Judicial Officer's Protection Act, 1850 (XVIII of 1850).	
2. The Indian Penal Code (Act XLV of 1860)	In section 75 the words "British India" shall be read as referring to British India and the Rajputana and Central India Railway Lands
3. The Police Act, 1861 (V of 1861)	(1) In section 1 for the first paragraph the following shall be substituted — "The words 'Magistrate of the district' shall mean the officer exercising within the railway lands in question the powers of a District Magistrate as described in the Code of Criminal Procedure, 1858." (2) In section 34 for the words "road or in any open place or street or thoroughfare within the limits of any town" the words "railway lands" shall be substituted
4. The Indian Succession Act, 1865 (X of 1865).	In section 3, the definition of "British India" and in the definition of "High Court" the word "therein" shall be omitted.

¹ Not reprinted

First Schedule—contd

Enactments applied	Further modifications and restrictions
5 The Public Gambling Act, 1867 (III of 1867)	The preamble, the first two paragraphs of section 1, and section 2 shall be omitted
6 The Court-fees Act, 1870 (VII of 1870)	
7. The Cattle trespass Act, 1871 (I of 1871)	Section 1, sub-sections (2) and (3), and section 31, clause (a) shall be omitted.
8 The Indian Evidence Act, 1872 (I of 1872).	In sections 57, 74, 78 and 79 the words "British India" shall be read as referring to British India, the Rajputana and Central India Railway Lands, and areas outside British India under the administration of the Governor-General in Council.
9 The Indian Contract Act, 1872 (IX of 1872)	
10 The Indian Oaths Act, 1873 (X of 1873)	
11 The Probate and Administration Act, 1881 (V of 1881)	
12. The Indian Telegraph Act, 1885 (XIII of 1885)	
13 The Provincial Small Cause Courts Act, 1887 (IX of 1887)	
14. The Police Act, 1888 (III of 1888)	
15 The Succession Certificate Act, 1889 (VII of 1889)	<p>For section 17 the following shall be substituted —</p> <p>"17 Where a certificate in the form of the second schedule to this Act has been granted under the Succession Certificate Act, 1889, by a Court having jurisdiction under the Act in British India or under the Act as applied in any area outside British India which is under the administration of the Governor-General in Council, or where a certificate in the form, as nearly as circumstances admit, of the said schedule has been granted to a resident within a foreign State by the British representative accredited to the State, or where a certificate so granted has been extended in such form by such Court or by such representative, the certificate shall have the same effect as a certificate granted or extended under this Act"</p>
16 The Revenue Recovery Act, 1890 (I of 1890)	<p>(1) In section 2, for clause (1) the following shall be substituted:—</p> <p>"(1) 'District' means any area which the Agent to the Governor-General in Rajputana or the Agent to the Governor-General in Central India, as the case may be, may appoint"</p>

First Schedule—contd

Enactments applied	Further modifications and restrictions
16 The Revenue Recovery Act, 1890— <i>contd</i>	<p>(2) For section 8 the following shall be substituted —</p> <p>“ 8 The provisions of this Act shall apply equally to —</p> <p>(a) the recovery in the Rajputana and Central India Railway Lands of any arrear of land revenue accruing, or sum recoverable as an arrear of land revenue and payable to a Collector or other public officer or to a local authority, in any part of British India or in any local area, which is not part of British India but which is under the administration of the Governor-General in Council, and to which the Revenue Recovery Act, 1890, has been applied, and</p> <p>(b) the demand for the recovery in British India or in any such local area of any such arrear accruing, or sum so recoverable and payable, in the said Lands.”</p>
17 The Prevention of Cruelty to Animals Act, 1890 (XI of 1890)	
18 The Epidemic Diseases Act, 1897 (III of 1897)	
19. The General Clauses Act, 1897 (X of 1897)	In section 8, clause (7), the words “ British India ” shall remain unmodified but in any other enactment, where this definition would otherwise apply, the words shall be read subject to the provisions of this notification
20. The Code of Criminal Procedure, 1898 (V of 1898)	<p>(1) Notwithstanding anything in section 14, sub-section (4), the Governor-General in Council may confer on any police officer all or any of the powers conferred or conferable by or under the Code on any Magistrate in regard to particular cases, or to a particular class or particular classes of cases, or to cases generally</p> <p>(2) Sections 22 to 26 shall be omitted</p> <p>(3) In section 30 the words from “ In the territories ” to “ Assistant Commissioners ” shall be omitted</p> <p>(4) A Sessions Judge at his discretion —</p> <p>(a) may take cognizance of an offence without the accused person being committed to the Court of Session by a Magistrate and, if so, shall follow the procedure laid down by this Code for the trial of warrant cases by Magistrates and</p> <p>(b) in other cases may direct that any trial before the Court of Session shall be without jury or aid of assessors</p> <p>(5) The powers prescribed by sections 401 and 402 shall be exercised only by the Governor-General in Council</p>

First Schedule—contd

Enactments applied	Further modifications and restrictions
20 The Code of Criminal Procedure, 1898— <i>contd.</i>	<p>(6) A person convicted on a trial held by a District Magistrate, who also exercises the powers of a Court of Session, may appeal to the High Court and in that case, notwithstanding anything in the Indian Limitation Act, 1908 (IX of 1908), as in force, the period of limitation for an appeal to the High Court shall be thirty days from the date of the conviction</p> <p>(7) In section 508, sub-section (1), after the words "such attendance and" the words "if such witness resides in any area to which this Code applies or in British India" shall be inserted</p> <p>(8) Nothing in the Code as applied shall be deemed to apply to proceedings against European British subjects or persons claimed jointly with European British subjects</p>
21. The Indian Post Office Act, 1898 (VI of 1898)	
22 The Indian Stamp Act, 1899 (II of 1899)	<p>(1) Sections 57, 58 and 59 shall be omitted</p> <p>(2) In section 60, sub-section (1), the words "other than a Court mentioned in section 57" and "or Chief Court" refer the same shall be omitted</p> <p>(3) In section 60, sub-section (2), the words "as if it had been referred under section 57" and "under the seal another like copy" shall be omitted.</p>
23. The Indian Extinction Act, 1903 (XV of 1903)	
24 The Provincial Insolvency Act, 1907 (III of 1907).	
25. The Code of Civil Procedure, 1908 (V of 1908)	<p>(1) In section 2, sub-section (5), section 10 and rule 49, sub-rules (4) and (5) of Order XXI in the First Schedule, the words "British India" shall be read as referring to British India and the Rajputana and Central India Railway Lands</p> <p>(2) In the proviso to section 29 after the word "summonses" the words "are situate in British India or" shall be inserted</p> <p>(3) For section 43, the following shall be substituted— "43 Any decree passed by a Civil Court in British India or by Execution of decrees of British Courts any Court established or continued by the authority of the Governor General in Council, may, if it cannot be executed within the jurisdiction of the Court by which it was passed, be executed in the manner herein provided within the jurisdiction of any Court in the Rajputana and Central India Railway Lands"</p>

First Schedule—contd

Enactments applied	Further modifications and restrictions.
25 The Code of Civil Procedure, 1908— <i>contd.</i>	<p>(4) In section 45 after the words "any Court" the words "situate in British India or" shall be inserted</p> <p>(5) In section 78 for clause (b) the following shall be substituted — "(b) Courts situate in British India or in any other part of the British Empire, or"</p> <p>(6) To rule 26 of Order V in the First Schedule, the following shall be added — "Provided that if the defendant resides in British India, the summons may be sent for service to a Court (not being a High Court) having jurisdiction at the place where he resides and if the Court returns the summons with an endorsement signed by the Judge or other officer of the Court that the summons has been served on the defendant in manner hereinbefore directed, such endorsement shall be deemed to be evidence of service"</p> <p>(7) The provisions of rule 48 of Order XXI in the First Schedule shall apply only to those cases in which the salary or allowances are payable in the Rajputana and Central India Railway Lands</p>
26 The Indian Limitation Act, 1908 (IX of 1908)	<p>(1) In section 13, the words "British India" shall be read as referring to British India and the Rajputana and Central India Railway Lands</p> <p>(2) Section 30 and the second schedule shall be omitted</p> <p>(3) For section 31, the following shall be substituted — "31 Notwithstanding anything contained in this Act, a suit for foreclosure or a suit for sale by a mortgagee instituted within sixty years from the date when the money secured by the mortgage became due and pending at the date of this notification in a Court either of first instance or of appeal shall not be dismissed on the ground that a twelve years' rule of limitation is applicable"</p>
27. The Indian Registration Act, 1908 (XVI of 1908)	<p>(1) In section 33 the words "British India" shall remain unmodified</p> <p>(2) In section 33, sub-section (f), after the words "executing the power of attorney resides" in clause (a) and after the words "does not reside" in clause (c), the words "in the Rajputana and Central India Railway Lands or" shall be added</p>
28. The Whipping Act, 1900 (IV of 1900)	Section 6 shall be omitted.
29. The Indian Paper Currency Act, 1910 (II of 1910)	<p>Only the following sections shall apply as hereby modified</p> <p>"15 A universal currency note for the time being of British India and any other currency note of British India, which the Governor-General in Council may from time to time direct, shall be a legal tender for the amount expressed in the note in payment on or account of— (a) any revenue or other claim to the amount of five rupees or upwards due to Government, and</p>

¹ For the universalisation of Rs. 100 notes see notification No 2064-F, dated the 1st April 1911 *Gazette of India*, 1911, Pt I, p. 239

First Schedule—concl'd.

Enactments applied.	Further modifications and restrictions.
29 The Indian Paper Currency Act, 1910— <i>cont'd.</i>	<p>(b) any sum of five rupees or upwards due by Government or by any body corporate or person</p> <p>26 No person shall draw, accept, make, or issue any bill of exchange, hundi, promissory note or engagement for the payment of money payable to bearer on demand, or borrow, owe or take up any sum or sums of money on the bills, hundis or notes payable to bearer on demand, of any such person</p> <p>Provided that cheques or drafts, payable to bearer on demand or otherwise, may be drawn on bankers, shroffs or agents by their customers or constituents, in respect of deposits of money in the hands of those bankers, shroffs or agents and held by them at the credit and disposal of the persons drawing such cheques or drafts</p> <p>27 (1) Any person contravening the provisions of section 26 shall, on conviction by a Magistrate of the first class, be punishable with a fine equal to the amount of the bill, hundi, note or engagement in respect whereof the offence is committed</p> <p>(2) Every prosecution under this section shall be instituted by a person empowered in this behalf by the Governor-General in Council "</p>
80 The Indian Lunacy Act, 1912 (IV of 1912)	<p>(1) To section 3, sub-section (1), the following shall be added — " and includes any asylum in British India which the Governor-General in Council may by general or special order appoint "</p> <p>(2) Sections 14, 15 and 67 shall be subject to the proviso that, if a lunatic is an inhabitant of a Native State, the Magistrate or Judge, as the case may be, may make him over to the care of such State with its consent and, in the case of an order under section 67, with the consent of the person on whose application the inquiry was instituted</p> <p>(3) In section 85 for the words "in any province" and "in any other province" respectively, the words "in the Rajputana and Central India Railway Lands" and "outside the Rajputana and Central India Railway Lands" shall be substituted</p>
31. The Wild Birds and Animals Protection Act, 1912 (VIII of 1912).	

No. 193-J., dated the 13th November 1878.—Whereas His Highness the Inland Customs Act, 1875, applied to the Rajputana
 Maharaja of Jaipur, His Highness the Maharaja of Kishangarh, His Highness the Maharaja of Bhatnagar, and His Highness the Maha Rao Raja of Alwar have granted to the British Government full jurisdiction within those portions of land forming the Rajputana (State) Railway (including lands occupied as stations, outbuildings, and for other purposes connected with the Railway) which lie within their respective territories¹.

In exercise of such jurisdiction, and of the powers conferred by sections 4 and 5 of Act XI of 1872² (the Foreign Jurisdiction and Extradition Act, 1872), the Governor-General in Council is pleased to notify as follows:—

(1) The Inland Customs Act (VIII of 1875)³ is hereby extended to all the aforesaid portions of land.

(2) In exercise of the power conferred by section 28 of the said Inland Customs Act, 1875, the Governor-General in Council is pleased to direct that no salt which at the date of this notification is, or may afterwards be, brought upon any of the aforesaid portions of land, shall be moved, except—

- (a) salt covered by a pass showing that there has been paid to the Government in respect thereof a duty of Rs-8 per maund of 8,200 tolas;
- (b) salt covered by a pass stating that such salt is free salt furnished under treaty to some Native Prince or Chief, or
- (c) salt booked through to some station of the said Railway east of the customs line.

(3) In calculating the amount of the duty abovementioned, fractions of quarter maunds shall be reckoned as quarter maunds

[*Gazette of India*, 1878, Pt I, p 662]

¹ Now the Rajputana Malwa Railway, *Main line Ajmer-Ajmerak, Sambhar (Kuchaman) Branch*, and *Ajra (Bandikui) Branch*.

² See now the Indian (Foreign Jurisdiction) Order in Council, 1902 Printed in Appendix III.

³ Repealed in British India by the Indian Salt Act, 1882 (XII of 1882)

VI—Orders relating to Courts.

Execution of capital sentences in British India	<i>No 1431-I, dated the 27th April 1893.</i> —Printed in Appendix XIII.
Criminal law and procedure of British India applicable to British subjects in Native States ¹	<i>No 1863-I A, dated the 13th May 1904</i> —Printed in Appendix IV.
High Courts exercising jurisdiction over European British subjects	<i>No 863-I B, dated the 16th April 1913.</i> —Printed in Appendix IV.
Justices of the Peace to commit to the High Court having jurisdiction	<i>No 2616-I, dated the 6th August 1890</i> —Printed in Appendix IV
Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests	<i>No 680-I. B, dated the 19th March 1913</i> —Printed in Appendix IV
Appointments of Justices of the Peace in Railway lands in Central India	<i>No 126, dated the 24th June 1873</i> <i>No 2313-I, dated the 13th August 1883</i> <i>No 2760-I, dated the 18th September 1883</i>
in Rajputana	<i>No 2761-I, dated the 18th September 1883.</i>
in Jodhpur and Sirohi	<i>No 1502-I, dated the 14th May 1885</i>
in Wodhpur	<i>No 1335-I, dated the 27th March 1889</i>
Constitution of Civil and Criminal Courts	<i>No 261-I B, dated the 10th February 1913</i> —Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States named in the second column of the first schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by outbuildings and for other railway purposes), and over all persons and things whatsoever within the said lands In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to provide as follows for the administration of justice within the said lands.

} Printed in Appendix IV.

} Printed in Appendix IV

PART I.

Criminal Jurisdiction.

For the purposes of criminal jurisdiction, except in proceedings against European British subjects and persons jointly charged with European British subjects, the following arrangements shall be made, namely —

- (1) Within the lands occupied by the Railways, as aforesaid, the Railway Magistrates mentioned in the corresponding entries in the third column of the first schedule (who shall be appointed, by notification in the official Gazette, in Rajputana by the Agent to the Governor-General in Rajputana and in Central India by the Agent to the Governor-General in Central India), and the officers mentioned in the corresponding entries in the fourth, fifth and sixth columns shall exercise, respectively —
 - (a) the powers of a Magistrate of the first class,
 - (b) the powers of a District Magistrate, including all powers conferable on a District Magistrate,
 - (c) the powers of a Court of Session, and
 - (d) the powers of a High Court,

as described in the Code of Criminal Procedure, 1898, as for the time being in force in the said lands

- (2) In any case in which the complainant, if any, and all the accused persons are subjects of the same Native State, it shall be in the discretion of a Court of original criminal jurisdiction to decline to exercise the powers hereby conferred.

PART II.

Civil Jurisdiction.

For the purposes of civil jurisdiction the following arrangements shall be made, namely —

Within the lands occupied by the Railways, as aforesaid, the officers mentioned in the corresponding entries in the seventh, eighth and ninth columns of the first schedule shall exercise, respectively—

- (a) the powers of a Court of Small Causes with jurisdiction in all suits cognizable under the Provincial Small Cause Courts Act, 1887, as for the time being in force in the said lands, when the amount or value of the subject-matter does not exceed one thousand rupees,

- (b) the powers of a District Judge, and
- (c) the powers of a High Court for all purposes connected with the administration of civil justice within the said lands.

PART III.

The notifications of the Government of India in the Foreign Department mentioned in the second schedule¹ hereto annexed are hereby cancelled to the extent noted against each

Provided that all civil and criminal proceedings pending at the date of this notification shall be carried on as if this notification had not been issued.

¹ Not reprinted.

5 The Bhopal- Indra Railway	Bhopal	Railway Magis- trate ²	The Political Agent in Bhopal	The Agent to the Governor- General in Central India	Railway Magis- trate ²	The Political Agent in Bhopal	The Agent to the Governor- General in Central India
6 The Bhopal- Ujjain Railway	Bhopal	Railway Magis- trate ²	The Political Agent in Bhopal	The Agent to the Governor- General in Central India	Railway Magis- trate ²	The Political Agent in Bhopal	The Agent to the Governor- General in Central India
Gwalior							
Indore							
Dewas (Samor)							
Dewas (Junior)							
7 The Baran- Kota Railway	Kota	Railway Magis- trate ²	The Political Agent in Haraothi	The Agent to the Governor- General in Rajputana	Railway Magis- trate ²	The Political Agent in Haraothi	The Agent to the Governor- General in Rajputana
8 The Bina- Gunas-Baran Railway	Kota	Railway Magis- trate ²	The Political Agent in Haraothi	The Agent to the Governor- General in Rajputana	Railway Magis- trate ²	The Political Agent in Haraothi	The Agent to the Governor- General in Rajputana
9 The Great Indian Penin- sula Railway, Maidan Section Maurice.	Gwalior	Railway Magis- trate ²	The Resident at Gwalior	The Agent to the Governor- General in Central India	Railway Magis- trate ²	The Resident at Gwalior	The Agent to the Governor- General in Central India
Bhopal-Rina	Bhopal	Railway Magis- trate ²	The Political Agent in Bhopal	The Agent to the Governor- General in Central India	Railway Magis- trate ²	The Political Agent in Bhopal	The Agent to the Governor- General in Central India
Kurwa							
Gwalior							
Kanadkhana							
Bina-Jhansi							
Orchha							

¹ The Sub-Divisional Magistrate, Hoshangabad Taluk

(His charge includes Bhopal Station.)

² The Head Quarters Assistant, Saugor District.

(His charge begins from the north outer signal, Bhopal Station.)

³ The Treasury Officer, Jhansi

See notifications Nos 1704-C and 271-B, dated the 14th and 16th February 1913. Gazette of India, 1913, Pt II, p 329

The Great Indian Peninsula Railway System.

First Schedule—concl.

1	2	3	4	5	6	7	8	9
CRIMINAL JURISDICTION						CIVIL JURISDICTION		
Railway	State.	Magnitude of the first class	District Magistrate with powers conferred by section 33 of the Code of Criminal Procedure, 1898.	Court of Session.	High Court	Court of Small Causes.	District Court	High Court
Jhansi-Chambal River	Datta Gwalior		The Resident at Gwalior	The Resident at Gwalior	The Agent to the Governor-General in Central India		The Resident at Gwalior	The Agent to the Governor-General in Central India
Chambal River—Banganga River.	Dholpur		The Political Agent in the Eastern States of Rajputana	The Political Agent in the Eastern States of Rajputana	The Agent to the Governor-General in Rajputana		The Political Agent in the Eastern States of Rajputana	The Agent to the Governor-General in Rajputana
Chambal River—Mansarovar Branch	Santhar		The Resident at Gwalior	The Resident at Gwalior			The Resident at Gwalior	
Chambal River—Mansarovar Branch	Oreilia Alupura	Railway Magistrate	The Commissioner Magistrate, Nowgong	The Political Agent in Bundelkhand	The Agent to the Governor-General in Central India	Railway Magistrate	The Political Agent in Bundelkhand	The Agent to the Governor-General in Central India
	Garrulh		The Political Agent in Bundelkhand.	The Political Agent in Bundelkhand.			The Political Agent in Bundelkhand	
	Palra							
	Tarson							

1 See footnote 3 on previous page

No. 2177, dated the 16th June 1911—In exercise of the powers conferred by the notification of the Government of India in the Foreign Department, No. 2817-I.B., dated the 10th July 1903, the Agent to the Governor-General in Rajputana is pleased to invest the officer for the time being appointed as Railway Magistrate of the first class under section 12(1) of the Code of Criminal Procedure, 1898 (V of 1898), as applied to the portions of the Railways cited in the list appended to the aforesaid notification, as amended by a like notification No. 1280-I.B., dated the 29th June 1909, with powers under sections 133, 144, 156, 190 [except as regards clause (1) (c)] 260 and 524 of the said Code, and with powers to hold inquests under section 174 of the same, and to take action in regard to accidents occurring on the said portions of the Railways

Additional powers
of Railway Magis-
trate at Ajmer

The said powers shall be exercised within the sections of the Railways enumerated in the list appended to the former notification with the exception of the portions of the Jodhpur-Bikaner Railway which are in British territory [*Gazette of India*, 1911, Pt. II, paragraph 1017]

No. 339-I, dated the 24th January 1896.—Under section 320,² clause (k), of the Code of Criminal Procedure, 1882, as applied to the Rajputana-Malwa Railway System by the notification of the Government of India in the Foreign Department, No. 326-I, dated the 24th January 1896, the Governor-General in Council is pleased to exempt the following officials employed upon the Rajputana-Malwa Railway from service as jurors or assessors in criminal trials held in any Court in Central India :—

[Exemptions from
service as jurors or
assessors] in Courts
of the Rajputana
Malwa Railway
systems in Central
India²

1. The Manager.
2. Engineers in charge of the line
3. Engineering Inspectors employed on the line.
4. Locomotive Foremen, or Drivers in charge of the changing stations.
5. Drivers of pilot engines
6. District and Assistant Superintendents of Locomotive Department
7. District Superintendents of Traffic
8. Assistant Superintendents of Traffic
9. Station Masters
10. Guards.

[*Gazette of India*, 1896, Pt. I, p. 54]

No. 4148-I, dated the 13th November 1884.—Under section 320,² clause (k), of the Criminal Procedure Code (Act X of 1882), the Governor-General in Rajputana.

¹ Printed p. 150, *supra*

² See now the similarly numbered section of the Code of Criminal Procedure, 1898, as applied by notification No. 262 I B, dated the 10th February 1913. Printed *supra*, p. 83

³ Now the Godhra-Railam-Nagda, Nagda-Ujjain, and Rajputana Malwa Railways

in Council is pleased to exempt the following officials employed upon the Rajputana-Malwa Railway from service as jurors or assessors in criminal trials held in any Court in Rajputana —

- 1 The Manager
- 2 Engineers in charge of the line
3. Engineering Inspectors employed on the line.
4. Locomotive Foremen, or Drivers in charge of changing stations.
5. Drivers of pilot engines
6. District and Assistant Superintendents of Locomotive Department.
- 7 District Superintendents of Traffic
- 8 Assistant Superintendents of Traffic.
9. Station Masters.
10. Guards.

[*Gazette of India*, 1884, Pt. I, p 430]

Conduct of prosecutions by Police officers.

No 338-I, dated the 24th January 1896 —Under section 195 of the Code of Criminal Procedure, 1882¹, as applied to the Rajputana-Malwa Railway system by the notification of the Government of India in the Foreign Department, No 326-I., dated the 24th January, 1896, the Governor-General in Council is pleased to declare the rank of Sub-Inspector as the rank below which Magistrates may not permit police officers of the Rajputana-Malwa Railway Police in Central India and Rajputana to conduct prosecutions, and to empower police officers of the Rajputana-Malwa Railway Police in Central India and Rajputana of and above the rank of Assistant Superintendent to conduct prosecutions without the permission of a Magistrate.

2 The notifications of the Government of India in the Foreign Department, Nos 1024-I. and 1026-I., dated the 25th February 1887, are cancelled.

[*Gazette of India*, 1896, Pt. I, p. 58]

Payment of expenses of complainants and witnesses in Criminal Courts

No. 1626-I B, dated the 16th June 1899.—Printed Vol. I, page 104

Payment of expenses of witnesses attending Civil Courts of the Rajputana Malwa Railway in Rajputana.

No. 2791-G, dated the 8th November 1886.—Printed Vol. I, page 585

¹ See now the Code of Criminal Procedure, 1898, (Act V of 1898) as applied by notification No 262-I.B, dated the 10th February 1913 Printed *supra*, p 88.

No. 786-I.B., dated the 9th April 1913.—Printed in Appendix XII-A.

List of Courts established or continued by the Governor-General in Council in States in the political control of the Government of India,¹

including the District Courts and Small Cause Courts on those Railways, to which Courts in British India may send summonses for service and decrees for execution

² No. 1366-I., dated the 29th March 1889.

³ No. 1367-I., dated the 29th March 1889.

No. 1368-I., dated the 29th March 1889.

No. 1282-I., dated the 2nd July 1890

No. 397-I.B., dated the 25th February 1910.

Printed in Appendix XII-A.

⁴ No. 1363-I., dated the 29th March 1889.

No. 1364-I., dated the 29th March 1889.

No. 4051-I A., dated the 18th September 1903

No. 399-I.B., dated the 25th February 1910

Printed in Appendix XII-A.

Service by the said Railway Courts of summonses—

- (a) of Civil or Revenue Courts in British India,
- (b) of other² Courts established or continued by the Governor-General in Council
- (c) of Civil or Revenue Courts of Hyderabad, Mysore, Central India States, States in the political control of the Bombay Government, and Baroda,

Execution by the said Railway Courts of decrees—

- (a) of other³ Courts established or continued by the Governor-General in Council,
- (b) of certain Courts of Mysore, States in the political control of the Bombay Government, and Baroda.

¹ Those Courts may send their summonses and decrees to Courts in British India for service and execution, see sections 29 and 43 of the Code of Civil Procedure, 1908 (V of 1908) Printed General Acts, Volume VI, Edition 1909, page 183

² For such Courts in other parts of India see notifications Nos. 787 and 788 I B., dated the 9th April 1913 Printed in Appendix XII A.

³ See also modification (2) in the Code of Civil Procedure, 1908, as applied to these Rail-

⁴ See also modification (3) ways Printed *supra*, p. 92

Service of summonses of the said
Railway Courts¹—

- (a) by other²
Courts established or
continued by
the Governor-
General in
Council ;
(b) by Civil
Courts of the
Baroda and
Mysore States

No. 1367-I, dated the 29th March 1889.—Printed in Appendix XII-A.

No. 398-I A, dated the 25th February 1910 } --Printed in Appendix
No. 2622-I B, dated the 24th December 1912 } XII-C

Execution of
decrees of the said
Railway Courts¹—

- (a) by other²
Courts established or
continued by
the Governor-
General in
Council ;
(b) by Civil
Courts of the
Baroda and
Mysore States,

No. 1363-I, dated the 29th March 1889.—Printed in Appendix XII-A

No. 2623-I B, dated the 24th December 1912—Printed in Appendix
XII-C

¹ See footnote ¹ on previous page

² See footnote ² on previous page.

VII.—Local Laws.

No. 2651-I., dated the 25th June 1891 —Printed in Appendix XV

No. 1431-I., dated the 27th April 1893 —Printed in Appendix XIII

Publication of
newspapers and other
printed works
Execution of capital
sentences in British
India
Arms Rules

No. 852-D, dated the 28th March 1913 —Whereas the Governor-General in Council has full and exclusive power and jurisdiction of every kind over the lands lying within the States specified in the second column of the schedule hereto annexed which are, or may hereafter be, occupied by the Railways specified in the first column of the said schedule (including the lands occupied by stations, by out-buildings and for other railway purposes), and over all persons and things whatsoever within the said lands.

In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, * * the Governor-General in Council is pleased to make the subjoined rules relating to arms, ammunition and military stores within the said lands —

1. In these rules "arms," "ammunition," and "military stores" have respectively the meanings assigned to them in the ¹ Indian Arms Act,

Interpretation 1878 (XI of 1878) except that the expression
'military stores' includes sulphur when in

quantities exceeding ten sers in weight and leaden birdshot and bullets when possessed in quantities exceeding one hundred weight at any one time

"Export" means transmission by rail from any station in any of the said lands to any station beyond the said lands

"Import" means transmission by rail from any station beyond the said lands to any station within the said lands.

"Transport" means transmission by rail from one station in the said lands to another station in the said lands ✓

Explanation.—Arms, ammunition, and military stores taken from one station to another in the said lands across intervening territory which is not within the said lands are transported within the meaning of these rules.

2. (1) The export, without the special permission of the Political

Export Agent, of arms, ammunition, or military stores
is forbidden.

(2) Station Masters to whom arms, ammunition or military stores, unaccompanied by evidence of such special permission are tendered for despatch, shall detain them and report the matter through the Superintendent of Railway Police for the orders of the Political Agent

¹ Printed, General Acts, Volume II, Ed 1908, p 688

- 3 (1) When any arms, ammunition, or military stores are imported, they shall not be delivered to the importer or consignee unless—

Importer

- (a) the importer or consignee produces the original license issued by the Secretary to the Government of India, in the Foreign Department, or other competent authority, authorising the export of such arms, ammunition, or military stores from British India and their import to some station within the lands above referred to, and

- (ii) the senior police officer at the station at which the arms, ammunition, or military stores have been received has compared the consignment with the license and authorised the Station Master to make delivery.

For the purpose of making the comparison required by clause (ii) the police officer shall have power to open any package which he thinks suspicious

(2) If the importer or consignee fails to produce the original license, or if the consignment does not correspond therewith, the senior police officer at the station shall report the matter forthwith to the Political Agent.

4. Every Station Master shall give information to the senior police officer at his station of the arrival of any consignment of imported arms, ammunition, or military stores

Information to be given by Station Master

5 A Station Master at whose station a consignment of imported arms, ammunition, or military stores is received may, after obtaining the sanction of the Superintendent of Railway Police, but not otherwise, forward the consignment, should the owner or consignee desire him to do so, to any other station within or beyond the lands above referred to

Re booking of consignments

6 No license shall be necessary in respect of the transport of arms, ammunition or military stores, but immediate information of any such transport shall be given to the senior police officers at the stations of despatch and receipt by the Station Masters concerned

Transport

7. Arms shall not in ordinary cases be taken from passengers But if a Station Master has reasonable ground for apprehending a disturbance from the possession of arms by a passenger, he may at any time before such passenger has taken his place in the train, but not afterwards, refuse to carry him unless he deli-

Carrying of arms by passengers

vers up his arms : if the passenger gives up his arms, they shall be labelled with his name and description, entered in the roadway bill, and delivered free of charge to him at his journey's end :

Provided that no person who has been duly exempted from the operation of sections 18—16 of the Indian Arms Act (XI of 1878), or has a license to carry arms granted by competent authority, shall, except in the case of evident and undoubted necessity, be required to give up his personal arms under this rule

8 Every person employed upon the railway shall, in the absence of reasonable excuse, the burden of proving which shall be upon him, be bound to give information to the nearest police officer regarding any box, packet, or bale in transit which he may have reason to suspect contains arms, ammunition, or military stores in respect of which an offence against these rules has been, or is being, committed

Penalties. 9. (1) Whoever commits any of the following offences, namely—

- (a) exports any arms, ammunition, or military stores without obtaining the special permission of the Political Agent as required by Rule 2,
- (b) imports any arms, ammunition, or military stores without a license of the nature referred to in Rule 3,

shall be punished with imprisonment for a term which may extend to three years, or with fine, or with both

(2) Whoever commits any of the following offences, namely—

- (a) imports any arms, ammunition, or military stores in excess of the quantities entered in the license referred to in Rule 3,
- (b) imports after the expiration of the period for which such license has been granted,
- (c) omits to give information as required by Rule 8,

shall be punished with imprisonment for a term which may extend to six months, or with fine which may extend to five hundred rupees, or with both.

10 When any person is convicted of an offence under the last preceding rule it shall be in the discretion of the

Power to confiscate

convicting Magistrate further to direct that the whole or any portion of the arms, ammunition, or military stores in respect of which the conviction is obtained, and any box, package, or bale in which the same may have been concealed, together with the other contents of such box, package, or bale, shall be confiscated.

11 (1) Whenever any Magistrate has reason to believe that arms, ammunition or military stores have been imported contrary to these rules, such Magistrate, having first recorded the grounds of his belief, may seize and detain the same in safe custody for such time as he may think necessary

(2) In such cases notice calling upon the importer or consignee to appear and to produce the license referred to in Rule 3 shall be published for three months at the Railway Station at which the arms, ammunition, or military stores have been seized, and at such other places as the Magistrate may think necessary

(3) If the importer or consignee does not appear and produce such license within three years from the date of such notice, such arms, ammunition, or military stores shall be confiscated.

12 The orders of the Political Agent shall be taken regarding the disposal of articles confiscated under these rules, and such orders shall be final.

13 (1) A Magistrate may award up to one-half the amount of any fine inflicted under these rules, and up to one-half the sale price of any confiscated articles sold in pursuance of orders issued under these rules, to any person, whether in the employ of a Railway Company or not, who has given information leading to a conviction

(2) Cases in which no fine is inflicted, or in which it appears desirable to give a reward larger than is provided for above, shall be submitted for the orders of the Political Agent

14. Nothing in the foregoing rules shall apply to the import of any arms, ammunition, or military stores when the same are covered by a certificate granted by the officer in charge of an arsenal in British India stating that they are consigned to the Ruler of a State mentioned in the second column of the schedule hereto annexed.

Schedule.

	Railway.	State.
Bombay, Baroda and Central India Railway System	1 The Godhra-Ratlam-Nagda Railway . . .	Jhabua. Indore. Sakana Ratlam. Gwahor. Gwahor.
	2 The Nagda-Ujjain Railway	
	3. The Nagda-Muttra Railway— Main Line	Gwahor. Dewas (Senior) Dewas (Junior) Indore Jhalawar. Kota Bundi Tonk. Jaipur. Karauli. Bharatpur Bharatpur.
	Bayana-Agra Branch	
	4. The Rajputana-Malwa Railway— Main Line	Alwar Jaipur Jodhpur Kishanganj. Sirohi Jaipur Jodhpur Alwar Bharatpur. Jaipur Alwar Jodhpur Jaipur Mewar. Tonk Gwahor. Indore. Sakana. Jaisi Ratlam Dhar Gwahor.
	Sambhar (Kuchaman) Branch	
	Agra (Bandkui) Branch	
	Rewari-Phulera Chord	
	Malwa Section (including the Holkar State Railway North of the River Nerbada).	
	Ujjain (Fatehabad) Branch	
Great Indian Peninsula Railway System	5. The Baran-Kotah Railway	Kotah.
	6. The Bhopal-Itarsi Railway	Bhopal.
	7. The Bhopal-Ujjain Railway	Bhopal. Gwahor. Indore Dewas (Senior). Dewas (Junior). Gwahor. Tonk. Kota
	8. The Binn-Guna-Baran Railway	

Schedule—contd

	Railway	State
Great Indian Peninsula Railway system	9 The Great Indian Peninsula Railway—Midland Section— <i>Main line</i>	Bhopal Kurwal, Gwalior Khandahana Orchha Datia Dholpur.
	<i>Cawnpore Branch</i>	Samthar Orchha, Alipura Garamah.
	<i>Manikpur Branch</i>	Pahia. Tarraon.

[*Gazette of India*, 1913, Pt I, p 202]

Carriage of salt on
the Rajputana State
Railway²

No. 199-J, dated the 13th November 1878.—Whereas His Highness the Maharaja of Jaipur, His Highness the Maharaja of Kishangarh, His Highness the Maharaja of Bhartpur, His Highness the Maha Rao Raja of Alwar, His Highness the Raja of Nabha¹ and His Highness the Nawab of Patauli¹ have granted to the British Government full jurisdiction within those portions of land forming the Rajputana (State) Railway (including lands occupied as stations, outbuildings and for other purposes connected with the Railway) which lie within their respective territories²

In exercise of such jurisdiction, and of the powers conferred by sections 4 and 5 of Act XI of 1872³ (the Foreign Jurisdiction and Extradition Act, 1872), the Governor-General in Council is pleased to notify as follows —

(1) On all salt imported, whether before or after the date of this notification, into any of the aforesaid portions of land without payment of duty and which, after one month from the date of this notification and from the date of importation, has not been moved in a manner permitted by notification⁴ No 198-J. of this date, a duty of Rs-8 per maund of three thousand two hundred tolas shall be levied; and, in calculating the amount of such duty, fractions of quarter maunds shall be reckoned as quarter maunds

¹ In the Punjab

² Now the Rajputana-Malwa Railway, *Main line* Ajmer-Delhi, *Sambhar* (Kuchaman) Branch, and *Agra (Bandikui) Branch*

³ See now the Indian (Foreign Jurisdiction) Order in Council, 1902, Printed in Appendix III

⁴ Printed *supra*, p 95

(2) When duty has become payable upon any salt under this notification and has not been paid, any officer empowered in this behalf by the Commissioner of Inland Customs may declare such salt to be forfeited to Her Majesty.

Provided that no such declaration shall be made in respect of any salt until the expiration of one fortnight after notice in writing of the intention to make such declaration has been served upon the owner or consignee of such salt, or, where such owner or consignee cannot be found, after such notice has been posted at the place where such salt is stored, and, if such salt was conveyed to such place as aforesaid by rail from another place within the aforesaid portions of land, also at the place from which such salt was despatched.

(3) Nothing herein contained shall be deemed to impose any duty on salt covered by a pass stating that such salt is free salt furnished under treaty to some Native Prince or Chief.

[*Gazette of India*, 1878, Pt. I, p. 663]

SOUTH CENTRAL DIVISION

Of the railways in the South Central Division those in Berar are an integral part of that Province, with the same laws, courts and administrative arrangements. The only special feature of their administration is that they are included in the general (railway) police district created by the notification¹ of the Government of India in the Home Department, No 1153, dated the 31st December 1909.

The remaining lines in the Division which lie in the Hyderabad State² form part of the Administered Areas under the administration of the Resident. A detailed statement of the jurisdictional arrangements in force is given in Volume I, Chapter IV, the following being the principal notifications —

Acts locally applied

No. 532-I. B., dated the 22nd March 1913 —Printed Vol. I, Page 227 General Acts

No. 784-I. B., dated the 9th April 1913 —Printed in Appendix XVIII. Indian Railways Act, 1890, and Indian Railway Board Act, 1905

Orders relating to Courts.

No. 853-I. B., dated the 16th April 1913 —Printed in Appendix IV. Criminal Courts.
High Courts exercising jurisdiction over European British subjects

No. 533-I. B., dated the 22nd March 1913 —Printed Vol. I, page 249 High Court for other purposes.

No. 30-J., dated the 9th April 1913 —Printed Vol. I, page 250. Sessions Court and District Magistrate

No. 1905-I., dated the 28th May 1884
No. 1269-I., dated the 23rd April 1885
No. 1147-I., dated the 22nd March 1888.
No. 3071-I., dated the 18th September 1890.
No. 105-J., dated the 13th June 1892 } —Printed in Appendix IV Justices of the Peace

No. 84-J., dated the 17th October 1907
No. 53-J., dated the 22nd April 1908. } —Printed Vol. I, page 251. Magistrates of the first class

No. 532-I. B., dated the 4th February 1904. —Printed Vol. I, page 252. Civil Courts
High Court
Appellate Court
District Court

No. 85-J., dated the 17th October 1907 —Printed Vol. I, page 255. * Additional Small Cause Court Judge

¹ Printed, p. 130, *infra*

² The Barak Light Railway, the Dhond Mamud Branch of the Great Indian Peninsula Railway, and the metre gauge main line of the Madras and Southern Maratha Railway, though they traverse the Hyderabad State, are classified in the Western Division of Railways, *supra*, p. 3.

³ Under Act IX of 1887 as locally applied, there is one Court of Small Causes for all the Administered Areas, the Judge of which is the officer who is District Judge

Local Laws.

Sale of liquor and
intoxicating drugs
to troops and camp
followers

No. 23, dated the 14th January 1886.—Printed Vol. I, page 273

Arms Rules

No. 4080-I, dated the 3rd December 1880.—Printed Vol. I, page 274

Opium Rules

No. 698-I. B., dated the 13th February 1903.—Printed Vol. I, page 323.

Legal Practitioners
Rules

No. 534-I. B., dated the 4th February 1904—Printed Vol. I, page 339

Intoxicating Drugs
Law, 1911

No. 2588-I. B., dated the 22nd November 1911.—Printed Vol. I, page 355.

SOUTHERN DIVISION¹

In the railway land in the Southern Division the following provisions have been made for the exercise of the jurisdiction which has been ceded —

A. On the lines in the Travancore and Cochin States the laws, courts ^{Shoranur-Cochin and} and administrative arrangements generally of the neighbouring British ^{Tinnevely-Qulou} Districts have been introduced, subject to the appointment of a separate Superintendent of Police, by the following notifications. —

No 5096-I. B., dated the 27th December 1906.—Whereas His Highness the Maharaja of Travancore and His Highness the Raja of Cochin have ceded to the British Government full and exclusive power and jurisdiction of every kind over the lands lying within their respective States which are, or may hereafter be, occupied by the Shoranur-Cochin Railway (including the lands occupied by stations, by outbuildings, and for other railway purposes) and over all persons and things whatsoever within the said lands.

In exercise of such power and jurisdiction and of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor-General in Council is pleased to provide as follows for the administration of justice within the said lands —

(1) The said lands shall be deemed to be part of the Cochin taluk of the Malabar district

(2) All laws² for the time being in force in the Malabar District of the Madras Presidency shall be deemed to be in force in the said lands

(3) The Governor in Council of Fort St George and all officers subordinate to the Government of Madras who, for the time being exercise authority within the Cochin taluk of the Malabar District, shall exercise the like authority within the said lands

Provided that the Superintendent of Police within the said lands shall, under the general control and superintendence of the Inspector-General of Police of the Madras Presidency, be vested in the Superintendent of Railway Police, who may be appointed in this behalf by the Governor in Council of Fort St. George and shall exercise throughout the said lands all the powers of a District Superintendent within the meaning of the Madras District Police Act, 1859 (XXIV of 1859).

¹ According to the classification *supra*, p 5

² The Indian Railways Act, 1890, and the Indian Railway Board Act, 1905, have been separately applied to these lands, along with others in Native States over which jurisdiction has been ceded, by notification No 7841 B, dated the 9th April 1913 Printed in Appendix XVIII

(4) All Courts having jurisdiction within the Cochin taluk of the Malabar District shall have the like jurisdiction within the said lands

(5) * * * * *
[*Gazette of India*, 1906, Pt. I, p. 951.]

No. 1474-I B, dated the 20th April 1906 —In supersession of the notification of the Government of India in the Foreign Department, No 4861-I B, dated 2nd November 1900, and in exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, the Governor-General in Council is pleased to provide as follows for the administration of justice within the lands lying in the Native State of Travancore, which are, or may hereafter be, occupied by the¹ Travancore Branch of the South Indian Railway :—

- (1) The aforesaid lands shall be deemed to be part of the Tangasseri taluk of the Anjengo district.
- (2) All laws² for the time being in force in the Anjengo district of the Madras Presidency shall be deemed to be in force in the said lands
- (3) The Governor of Madras in Council and all officers subordinate to the Government of Madras for the time being exercising executive authority within the Tangasseri taluk of the Anjengo district shall exercise the like authority within the said lands.

Provided that the Superintendent of the Police within the said lands shall, under the general control and superintendence of the Inspector General of Police of the Madras Presidency, be vested in a Superintendent of Railway Police, who may have been appointed in this behalf by the Governor of Madras in Council and shall exercise throughout the said lands all the powers of a District Superintendent within the meaning of the Police Act, XXIV of 1859 (an Act for the better regulation of the police within the territories subject to the Government of Fort St. George).

- (4) All Courts having for the time being jurisdiction within the Tangasseri taluk of the Anjengo district shall have the like jurisdiction within the said lands

²[The provisions of this notification shall not take effect in the lands occupied by the aforesaid Railway until the 1st July, 1906, or such later date as may be fixed by the Governor of Madras in Council in this behalf.]

[*Gazette of India*, 1906, Pt. I, p. 236]

¹ Now styled the Tinnevely Quilon Railway

² See footnote 2 on previous page

³ Added by notification No 2459 I B, dated the 21st June 1908 *Gazette of India*, 1908, Pt. I, p. 422.

The following Local Law is also in force on the Tinnevely-Quilon Railway in Travancore.

No 920-I, B, dated the 24th April 1912.—In exercise of the powers conferred by the Indian (Foreign Jurisdiction) Order in Council, 1902, and of all other powers enabling him in that behalf, the Governor-General in Council is pleased to declare that persons detained in accordance with the law for the time being in force in the Travancore State shall be deemed to be in lawful custody while being conveyed by the State Police over the lands occupied by the Tinnevely-Quilon Railway within that State.

[*Gazette of India*, 1912, Part I, p. 504.]

B On the lines in the Mysore State, the following notification applies the laws for the time being in force in the Civil and Military Station of Bangalore but creates special courts.—

No 507-I, dated the 6th February 1896.—Whereas His Highness the Maharaja of Mysore has ceded to the British Government full jurisdiction within the lands in his territory (including the lands occupied as stations, out-buildings and for other railway purposes), which are occupied or may be hereafter occupied by the following lines of railway in the Mysore State, namely (1) the Bangalore Branch of the Madras Railway, (2) the Mysore State Railway from and inclusive of the Harihar Railway Station to and inclusive of the Bangalore Railway Station, (3) from and inclusive of the Yeswanthpur Junction Railway Station to the frontier of the State on the Bangalore-Hindupur Section of the Mysore State Railway; and (4) the Kolar Gold Fields Railway In exercise of this jurisdiction and of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879, and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to issue the following orders :

Hindupur Railway,
Kolar Gold Fields
Railway,
Madras and Southern
Maharaja Railway
Mysore Section,
Bangalore Branch

PART I

²[All enactments³ which are now or may hereafter be in force ⁴in the Civil and Military Station of Bangalore, and all notifications, rules,⁵ orders, or

¹ See now the Indian (Foreign Jurisdiction) Order in Council, 1902. Printed in Appendix III

² Substituted by notification No. 197-I B, dated the 3rd February 1913 *Gazette of India*, 1913, Pt I, p. 105

³ The Indian Railways Act, 1890, and the Indian Railway Board Act, 1905, have been separately applied to the Railway lands, see notification No 784 I B, dated the 9th April 1913 Printed in Appendix XVIII

⁴ Vide Vol I, p. 389

⁵ For the rule, similar to that in force in the Civil and Military Station, excepting documents executed and properly stamped in these railway lands from duty in British India, see notification No 3616 Etc, dated the 18th July 1909 Printed Vol I, p. 382

bye-laws made or which may hereafter be made under such enactments shall, unless otherwise declared by the Resident in Mysore, be deemed to be in force in the said lands in so far as they are applicable thereto

Provided, firstly, that for the purpose of facilitating the application of any of the aforesaid enactments, notifications, rules, orders, or bye-laws, any Court in the said lands may construe them with such alterations not affecting the substance as may be necessary or proper to adapt them to the matter before the Court

Provided, secondly, that notwithstanding anything in the Code of Criminal Procedure ¹(Act V of 1898) or the Police Act (V of 1861) or in any other enactment for the time being in force, the Governor-General in Council may confer on any Police officer all or any of the powers conferred or conferable by or under the Code on any Magistrate, in regard to particular cases or to a particular class or particular classes of cases or to cases generally

PART II.

For the purposes of the exercise of criminal jurisdiction within the aforesaid lands, the Governor-General in Council is pleased to make the following arrangements :—

- (1) There shall be a Railway Magistrate, who shall be the District Magistrate of the Civil and Military Station of Bangalore
- (2) The Railway Magistrate shall have the powers of a District Magistrate, as described in the Code of Criminal Procedure ²
- (3) There shall be a Superintendent of Railway Police, who shall be such person as the Governor-General in Council may from time to time appoint in that behalf
- (4) ¹[The Superintendent of Railway Police shall have the powers of a District Superintendent of Police as described in Act V of 1861, and the ordinary powers of a Magistrate of the first class with power to take cognizance of offences on complaint and upon Police report and with summary powers, as described in section 190, clause (f), sub-clauses (a) and (b), and Chapter XXII, respectively, of the Code of Criminal Procedure].

¹ Substituted by notification No. 1908-I.B., dated the 7th July 1899 *Gazette of India*, 1899, Pt I, p 671

² An addition made to this clause by notification No 4218-I B., dated the 13th November 1897, was cancelled by notification No. 1904-I A, dated the 7th July 1899.

- (5) * * * *
- (6) The First Assistant to the Resident in Mysore shall have the powers of a Court of Session, as described in the Code of Criminal Procedure, in respect of all offences over which magisterial jurisdiction is exercised by the Railway Magistrate or the Superintendent of Railway Police
- (7) The Resident in Mysore shall have the powers of a High Court, as described in the Code of Criminal Procedure, in respect of all offences over which the jurisdiction of a Court of Session is exercised by the First Assistant to the Resident, and for all purposes whatsoever connected with the administration of criminal justice
- (8) This part of this notification applies to all proceedings except—
- (a) proceedings against European British subjects, or persons jointly charged with European British subjects, and
 - (b) proceedings pending at the date of this notification which should be carried on as if this notification had not been issued

PART III

For the purposes of the exercise of civil jurisdiction within the aforesaid lands, the Governor-General in Council is pleased to make the following arrangements.—

- (1) There shall be two Courts of Small Causes—the first with jurisdiction in all suits cognizable under Act IX of 1887, when the amount or value of the subject-matter does not exceed five hundred rupees, and the second when the amount or value of the subject-matter does not exceed fifty rupees
- (2) The District Judge of the Civil and Military Station of Bangalore shall be the Judge of the First Court, and the Superintendent of Railway Police shall be the Judge of the Second Court
- (3) There shall be a District Court having the powers of a District Court as defined in section 2 of the Code of Civil Procedure, and with jurisdiction in all original suits, whatever be the amount or value of the subject-matter, and in all other cases in which jurisdiction is conferred on the District Court by any law for the time being in force in the aforesaid lands

¹ Cancelled by notification No 197 I. B., dated the 3rd February 1913 *Gazette of India*, Pt I, p. 105.

- (4) The District Judge of the Civil and Military Station of Bangalore shall be the Judge of the District Court
- (5) Appeals shall lie, subject to the provisions of the enactments for the time being in force in the aforesaid lands, against the decrees and orders of the District Court to the Resident in Mysore, who shall exercise the powers of an Appellate Court as defined in the Code of Civil Procedure.
- (6) Subject to the provisions of the said enactments, the Resident in Mysore shall exercise the powers of a High Court for all purposes whatsoever connected with the administration of civil justice within the aforesaid lands.

PART IV

[Notification cancelled—Not reprinted]

[*Gazette of India*, 1896, Part I, p. 85]

Orders relating to Courts.

Under the terms of the foregoing notification a considerable number of the orders relating to Courts in the Civil and Military Station apply to the Railway lands, but as there are others which are otherwise in force it is convenient to give a complete list

Execution of capital sentences in British India.

No 1431-I, dated the 27th April 1893 —Printed in Appendix XIII

Criminal law and procedure of British India applicable to British subjects in Native States.

No 1863-I. A., dated the 13th May 1904.—Printed in Appendix IV

Jurisdiction of the High Court at Madras over European British subjects

No 853-I B, dated the 16th April 1913 —Printed in Appendix IV

Justices of the Peace to commit for trial to the High Court having jurisdiction.

No 2616-I, dated the 6th August 1890 —Printed in Appendix IV

Justices of the Peace invested with powers of Magistrates of the first class and to hold inquests

No 680-I. B, dated the 19th March 1912 —Printed in Appendix IV

Appointments of Justices of the Peace

No 159-I. J, dated the 21st July 1881
No 12-I, dated the 3rd January 1884.
No 955-I, dated the 18th March 1884

} —Printed in Appendix IV.

No. 3908, dated the 24th July 1899.—Under section 30 of the Code of Criminal Procedure, 1898, as applied to the Civil and Military Station of Bangalore by notification¹ No. 2688-I. A. of the Government of India in the Foreign Department, dated the 7th October 1898, and as in force in the Railway lands in Mysore Territory, jurisdiction over which has been ceded to the British Government, by virtue of notification² No. 507-I of the Government of India in the same Department, dated the 6th February 1896, the Officiating Resident in Mysore is pleased to direct that the officer for the time being exercising the powers of a District Magistrate within the said Railway lands under the latter notification shall have power to try as a Magistrate all offences not punishable with death.

[*Gazette of India*, 1899, Part II, p. 863]

No. 60, dated the 26th August 1909—Printed Vol. I, page 406

No. 1493-7296, dated the 9th May 1887.—Printed Vol. I, page 407.

No. 17, dated the 10th September 1883.—Printed Vol. I, page 407.

No. 1294-I A., dated the 3rd April 1902.—Printed Vol. I, page 408

No. 8, dated the 6th August 1906—Printed Vol. I, page 410

No. 9, dated the 5th March 1907.—Not reprinted

[*Gazette of India*, 1907, Pt. II, p. 484.]

No. 10, dated the 15th June 1908.—Not reprinted.

[*Gazette of India*, 1908, Pt. II, p. 1085]

No. 43, dated the 26th July 1907.—Printed Vol. III, page 733

No. 1, dated the 5th October 1900.—Printed Vol. I, page 411.

No. 3, dated the 10th January 1901—Printed Vol. I, page 411.

Grant of extended powers to the District Magistrate

Mode of inflicting whipping.

Conduct of prosecutions by police officers

Rules for payment of expenses of complainants and witnesses in the Criminal Court.

Rules regarding the trial of persons subject to military law by the ordinary Criminal Courts or by Court-martial

Disposal of appeals from prisoners in jail

Submission of returns by Criminal Courts.

Forms for registers of criminal cases and appeals.

Rules for the disposal of records in Criminal Courts

Notice to be given by Courts to the District Magistrate of guns and other arms sold in execution of decrees
Procedure of Civil Courts in the attachment of property in the execution of decrees

¹ See now notification No. 732-D., dated the 19th March 1913. Printed Vol. I, p. 390.

² Printed *supra*, p. 121.

Officers to whom orders of attachment of salary or allowances of Civil and Military officers are to be sent

Rules for the custody and maintenance of live stock attached in execution of decrees of Civil Courts.

Rules for the disposal of records in Civil Courts.

List of Courts established or continued by the Governor General in Council, including the District Court and the Courts of Small Causes in the Railway lands, to which Courts in British India may send summonses for service and decrees for execution.

Service by the said Courts in the Railway lands of summonses—
(a) of Civil or Revenue Courts in British India,

(b) of other¹ Courts established or continued by the Governor General in Council,
(c) of Civil or Revenue Courts of Mysore, Hyderabad, Central India States, States in the political control of the Bombay Government and Baroda
Execution by the said Courts in the Railway lands of decrees—

(a) of other² Courts established or continued by the Governor-General in Council,

No. 31, dated the 23rd March 1910.—Printed Vol. I, page 412

No. 302, dated the 3rd March 1880 —Printed Vol. I, page 412

No. 6603, dated the 17th December 1900.—Printed Vol. III, page 730

No. 786-I B., dated the 9th April 1913 —Printed in Appendix XII-A

No. 1366-I, dated the 29th March 1889.

No. 1367-I, dated the 29th March 1889.

No. 1368-I, dated the 29th March 1889.

No. 2182-I, dated the 2nd July 1890

No. 397-I. B, dated the 25th February 1910

Printed in Appendix XII-A

No. 1363-I, dated the 29th March 1889 — Printed in Appendix XII-A

¹ For such Courts in other Parts of India see notifications Nos 787 and 788-I B., dated the 9th April 1913 Printed in Appendix XII-A

- No. 1364-I, dated the 29th March 1889*
No. 4051-I.A, dated the 18th September 1902.
No. 399-I. B, dated the 25th February 1910
- } —Printed in Appendix XII-A.
- (b) of certain Courts of Mysore, States in the political control of the Bombay Government, and Baroda
- Service of summonses of the said Courts in the Railway lands—
- No. 1367-I, dated the 29th March 1889* —Printed in Appendix XII-A.
- (a) by other ² Courts established or continued by the Governor-General in Council,
- No. 398-I B., dated the 25th February 1910* } —Printed in Appendix XII-C
No. 2622-I B, dated the 24th December 1912.
- (b) by Civil Courts of the Baroda and Mysore States
- Execution of decrees of the said Courts in the Railway lands—
- No. 1363-I., dated the 29th March 1889* —Printed in Appendix XII-A.
- (a) by other ² Courts established or continued by the Governor-General in Council;
- No. 2623-I. B, dated the 24th December 1912.* —Printed in Appendix XII-C
- (b) by Civil Courts of the Baroda and Mysore States
- No. 111, dated the 23rd July 1878.* —Printed in Appendix XII A
- Service in the railway lands of criminal processes issued by Magistrates in British India

¹ These Courts may send their summonses and decrees to Courts in British India, for service and execution. See sections 29 and 48 of the Code of Civil Procedure, 1908 (V of 1909) Printed General Acts, Vol. VI, Ed 1909, p 183

² See footnote 1 on previous page

PART II

EASTERN DIVISION.¹

Orders under Acts locally applied.

No 3102, dated the 16th August 1909.—Printed in Appendix XVII

Indian Arms Act,
1878.
Indian Arms Rules,
1909

No. 1419-I B, dated the 17th April 1906.—In exercise of the powers conferred by section 27 of the Indian Arms Act, 1878 (XI of 1878), as applied by the notification of the Government of India in the Foreign Department, No. 1007-I, dated the 21st March 1884, to the lands which are occupied, or may hereafter be occupied, by the Rajputana-Malwa Railway system, including the lands occupied as stations, out-buildings, and for other railway purposes, in Indore territory south of the river Nerbada, the Governor-General in Council is pleased to withdraw the said lands from the prohibitions and directions contained in sections 14 to 16 of the said Act, as so applied. Provided that a person who refuses or omits to comply with any regulation or rule of the railway for the time being in force relating to the custody of arms while in passenger trains, shall not be entitled to the benefit of this exemption

Withdrawal of the
length of the Raj-
putana-Malwa
Railway in Indore
territory in this
Division from the
prohibitions and
directions contained
in sections 14—16.

[Gazette of India, 1906, Pt I, page 232]

No. 1014, dated the 31st July 1908.—In exercise of the powers conferred by section 2, sub-sections (1) and (2) of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, the Governor-General in Council is pleased—

Police Act, 1888.
Inclusion of the
railway lands over
which jurisdiction
has been ceded in
Cooch Behar in a
general police
district with the
Chief Commissioner
of Assam as Local
Government.

- (a) to create a general police district embracing all the lands for the time being occupied by the Assam-Bengal Railway, the Bengal-Dooars Railway, the Dibru-Sadiya Railway, the Mymensingh-Jamalpur-Jagannathganj Railway, the Tezpur-Balpara Railway, the Jorhat State Railway, the whole length of the Eastern Bengal State Railway lying within the Province of Eastern Bengal and Assam (with the exception of the portion of the line from Katibai to Godagari which lies within the districts of Malda and Rajshahi and of the portion of the lines between Porada and Faridpur including the branch line to Goalundo), the portion of the same railway between Kachua and Barsoi

¹ According to the classification *supra* p 1

² Cancelled by notification No 754 I B, dated the 28th March 1912. Printed *supra* p, 7

stations which lies in the district of Purnea in Bengal, and the portion of the same railway which lies in the district of Darjeeling in Bengal between the boundary of the Jalpaiguri district and the northern limits of the Siliguri station, including all lands occupied by stations, by out-buildings and for other railway purposes,

- (b) to direct the enrolment under the Police Act, 1861 (V of 1861), or a police force for service therein, and
- (c) to appoint the Lieutenant-Governor of Eastern Bengal and Assam to discharge, with respect to the general police district and the police force aforesaid, the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (V of 1898), and any other enactment relating to police for the time being in force in the lands aforesaid on in any part thereof

[*Gazette of India*, 1908, Pt 1, page 701.]

Inclusion of the railway lands of the Division in Indore, Panna, Rewa, Berar, Khairagarh, Nandgaon, Saket, Raigarh and Palna in a general police district with the Chief Commissioner of the Central Provinces as Local Government.

No 1153, dated the 31st December 1909—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, the Governor-General in Council is pleased—

- (a) to create a general police district embracing all the lands within the Central Provinces and the Native States referred to in the list appended hereto, which are, or may hereafter be, occupied by the railways enumerated in that list, inclusive of all lands occupied by stations, by out-buildings and for other railway purposes,
- (b) to order the enrolment, under the Police Act, 1861 (V of 1861), of a police force for service therein, and
- (c) to appoint the Chief Commissioner of the Central Provinces to discharge, with respect to the general police district and police force aforesaid, the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (Act V of 1898), and any other enactment relating to police for the time being in force in the lands above-mentioned or in any part thereof

* * * * *

List of Railways

- (1) The East Indian Railway, from Jabulpore to the northern outer signal at Sutra Station

- (2) The Indian Midland Railway, from Itarsi to the border of the United Provinces of Agra and Oudh, including the lands ² lying within the Native States of Kuwai, Bhopal and Gwahor.
- (3) The Bhopal-Ujjain Railway,¹ including the lands lying within the Native States of Gwahor, Indore, Bhopal, Dewas (Senior Branch), and Dewas (Junior Branch)
- (4) ³[The Bina-Guna-Baran and the Baran-Kotah Railways], including the lands lying within the Native States of Gwahor, Tonk and Kotah
- (5) The Indian Midland Railway, Bina-Katni Branch, including the lands lying within the Panna State
- (6) The Great Indian Peninsula Railway, including the lands lying within Berar ⁴
- (7) The Bengal-Nagpur Railway, including the lands lying within the Native States of Khairagarh, Nandgaon, Sakti, Raigarh and Rewah, and that portion of the Raipur-Vizianagram branch of the Bengal Nagpur Railway which lies within the Patna State.
- (8) The Holkar State Railway south of the northern end of the bridge over the Narmada river, including the lands lying within the Indore State

[Gazette of India, 1910, Pt I, page 3]

No 784-I B, dated the 9th April 1913 —Printed in Appendix XVIII

Indian Railways Act,
1900.

(a) Rules for working open lines of railway and lines under construction and regarding accidents

(b) Delegation of powers to Local Governments

No 802 dated the 24th March 1905 —Printed in Appendix XVIII

Authority to the Secretary to the Railway Board to sign documents

No. 801, dated the 24th March 1905

No 9940, dated the 17th December 1906.

No 2972, dated the 8th April 1907

No 2140, dated the 28th February 1908

—Printed in Appendix XVIII

Indian Railway Board Act, 1905
Powers of the Railway Board

¹ The line from Itarsi to Bhopal is now known as the Bhopal-Itarsi Railway, while the length from Bhopal to the border of the United Provinces forms part of the Midland Section of the Great Indian Peninsula Railway

² Included in the North Central Division of Railways according to the classification on p. 4 *supra*

³ Substituted by notification No 686, dated the 28th June 1911, *Gazette of India*, 1911, Pt I, page 471

⁴ Included in the South Central Division according to the classification on p. 5 *supra*

NORTHERN DIVISION¹
Orders under Acts locally applied.

No. 3102, dated the 16th August 1909.—Printed in Appendix XVII

No. 447, dated the 6th March 1912.—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, the Governor-General in Council is pleased—

- (a) to create a general police district embracing all the lands, situate within the United Provinces of Agra and Oudh, and the Native States referred to in the list appended hereto, which are or may hereafter be, occupied by the Railways enumerated in that list, inclusive of all lands occupied by stations, by out-buildings and for other Railway purposes,
- (b) to order the enrolment, under the Police Act, 1861 (V of 1861), of a police force for service therein, and to direct that the police force enrolled in pursuance of the notification specified in paragraph III of this notification shall be deemed to have been enrolled in pursuance of this notification

II. The Governor-General in Council is also pleased to appoint the Lieutenant-Governor of the United Provinces of Agra and Oudh to discharge, with respect to the general police district and police force aforesaid, the functions of the Local Government under the said Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (Act V of 1898), and any other enactment relating to police for the time being in force in the lands above mentioned or in any part thereof

III. Notification No 1194, dated the 27th September 1911, by the Government of India in the Home Department, is hereby cancelled

List of Railways.

- 1 The Bengal and North-Western Railway, including the lands within the Benares State.
- 2 The Oudh and Rohilkhand State Railway, including the lands within the Rampur and Benares States
- 3 The Rohilkhand and Kumaon Railway, including the lands within the Rampur State
- 4 The Lucknow-Bareilly Railway.
5. The East Indian Railway, including the section from Naini to the northern outer signal at Sutna Station, but excluding the portion in the Punjab between the Jumna Bridge and the Delhi Junction Station

Indian Arms Act,
1878.

Indian Arms Rules,
1908.

Police Act, 1888

Inclusion of the land
in the Division in a
general police district
with the Lieutenant-
Governor of the
United Provinces as
Local Government

¹According to the classification on p 2 *supra*.

6 The sections of the Indian Midland Railway from Cawnpore to the border of the Central Provinces, south of Lalitpur, including the lands¹ lying in the Samthar, Oichha and Khamadhana States, and from Agra Cantonment to Manikpur, including the lands¹ lying in the Datia, Gwalior, Dholpur, Oichha, Alipura, Garrauli, Pahia and Taraon States

7 The Agra-Delhi Chord Railway, including the lands lying within the Bharatpur State in Rajputana, but excluding the portion in the Punjab between Hodal Railway Station and the Delhi Junction Station

8 The North-Western State Railway.

9 The Rajputana-Malwa Railway, except² the portion between the west outer signal at Achnera on the Achnera-Bandikui section and the border of the United Provinces and the Bharatpur State
[*Gazette of India*, 1912, Pt I, p 832.]

Indian Railways Act,
1880

(a) Rules for
working open lines
of railway and lines
under construction,
and regarding
accidents

(b) Delegation of
powers to Local
Governments

Authority to the
Secretary to the
Railway Board to
sign documents.

Indian Railway
Board Act, 1906

Powers of the
Railway Board

No 784-I B, dated the 9th April 1913 —Printed in Appendix XVIII

No 802, dated the 24th March 1905 —Printed in Appendix XVIII

No 801, dated the 24th March 1905.

No 9940 dated the 17th December 1906

No 2972, dated the 8th April 1907

No 2140, dated the 28th February 1908

} —Printed in Appendix XVIII.

¹ Namely the lengths in Native States of the *Udland Section* from Bina to the river Banganga, the *Cawnpore Branch*, and the *Manikpur Branch* of the Great Indian Peninsula Railway which form part of the North Central Division of Railways, according to the classification on p 4 *supra*

² The result of this exception is to include in the general police district only the length of the *Agra (Bandikui) Branch* of the Rajputana-Malwa Railway from Achnera to Agra, and the *Cawnpore-Achnera Section*

NORTH-WESTERN DIVISION ¹

Orders under Acts locally applied.

No. 22-J, dated the 14th February 1879 —Printed *infra* page 149.

Inland Customs Act,
1875.

Powers under
the Act on the main
line of the
Rajputana-Malwa
Railway in Nabha
and Patiala

No. 2817-I. B, dated the 10th July 1908 —Printed *infra* page 150

Police Act, 1888

Inclusion of the
main line of the
Rajputana Malwa
Railway in Nabha
and the Rewari
Phulea Chord in
Nabha and Patiala
in a general police
district with the
Agent to the
Governor General
in Rajputana as
Local Government.

No. 1578, dated the 22nd November 1912 —In exercise of the powers conferred by section 2, sub-sections (1) and (2) of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, the Governor-General in Council is pleased—

Inclusion of all other
railway lands in the
Division, save those
in the North West
Frontier Province
and the Baluchistan
Agency, in a general
police district with
the Lieutenant-
Governor of the
Punjab as Local
Government

- (a) to create a general police district embracing all the lands situate within the Punjab, the Province of Delhi, the North-West Frontier Province and the Native States referred to in the list appended hereto, which are or may hereafter be occupied by the Railways enumerated in that list, inclusive of all lands occupied by stations and out-buildings and for other Railway purposes,
- (b) to order the enrolment under the Police Act, 1861 (V of 1861), of a police force for service therein; and
- (c) to direct that the police force enrolled in pursuance of the notification specified in paragraph III of this notification shall be deemed to have been enrolled in pursuance of this notification

II. The Governor General in Council is also pleased to appoint the Lieutenant-Governor of the Punjab to discharge, with respect to the general police district and police force aforesaid, the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (Act V of 1898), and any other enactment relating to police for the time being in force in the lands above mentioned or in any part thereof

¹ According to the classification p. 2 *supra*

III—Notification No 1406, dated the 1st October 1912, by the Government of India in the Home Department, is hereby cancelled

List of Railways

1. The North-Western Railway and the lines worked by that Railway, including the portions situate in the Native States of Jammu and Kashmir, Bikaner, Patiala, Bahawalpur, Nabha, Jind, Kapurthala, Faridkot, Malerkotla, Baghat and Keonthal.

2. The Rewari-Delhi section, including the Gahnihasaru-Farukhnagar branch, and the Rewari-Kotkapura-Fazilka section of the Rajputana-Malwa Railway, including the portions situate in the Native States of Pataudi, Dujana, Jind, Patiala, Nabha and Faridkot.

3. The Delhi-Ambala-Kalka Railway, including the lands lying within the Native States of Kalsia and Patiala

4. The East Indian Railway portion lying between the Jumna Bridge and the Delhi Junction Station

5. The Agra-Delhi Choud Railway portion lying between the Hodal Railway Station and the Delhi Junction Station

6. The Jodhpur-Bikaner Railway from Bhatinda to the Bikaner frontier including the portion situate in the Native State of Patiala, and from Hissar to the Bikaner frontier

[*Gazette of India*, 1912, Pt I, p 1589]

Indian Railways Act,
1890

(a) Rules for working
open lines of railway
and lines under
construction, and
regarding accidents

(b) Delegation of
powers to the
Government of the
Panjab in all
railway lands in this
Division save those
in the North-West
Frontier Province
and the Baluchistan
Agency

Taxes payable to
local authorities by
the North-Western
Railway

No 784-I B, dated the 9th April 1913—Printed in Appendix XVIII.

No 232, dated the 24th August 1911.—In pursuance of section 135 of the Indian Railways Act, 1890 (IX of 1890), and in supersession of all previous notifications on the subject, the Governor-General in Council is pleased to declare that the Administration of the North-Western State Railway shall be liable to pay, in aid of the funds of the local authorities set out in the schedule hereto annexed, the taxes specified against each in the second column thereof

Schedule

Local Authorities	Taxes
1	2
Durgu Cantonment	Conservancy tax
* * *	* * *

[*Gazette of India*, 1911, Pt I, p. 704]

No 802, dated the 24th March 1905 —Printed in Appendix XVIII.

Authority to the
Secretary to the
Railway Board to
sign documents
Epidemic Diseases
Act, 1897

Delegation of powers.

No. 5041-I. C, dated the 30th December 1906 —Printed in Appendix XVI

Code of Criminal
Procedure, 1898

No 278, dated the 26th December 1884—Under the provisions of section 4, clause (c) of the Code of Criminal Procedure, 1882,¹ the Honourable the Lieutenant-Governor is pleased to declare that the following posts shall be deemed to be police-stations for the purposes of the said Code, namely, on the Rewari-Ferozapore Railway. —

Location and
definition of limits
of police stations
on the Rewari-
Bhatinda Branch
of the North-Western
Railway and the
Rewari-Bhatinda
Branch of the
Rajputana-Malwa
Railway

Ferozapore Bhatinda. Kot Kapura. Bhatinda.

Such police stations shall include such portions of railway (including the lands occupied as stations and out-buildings and for other railway purposes) as many from time to time be attached to them by the Assistant Inspector General of Railway Police.

[*Punjab Gazette*, 1885, Pt I, p. 8]

Indian Railway
Board Act, 1905
Powers of the
Railway Board

No. 801, dated the 24th March 1905 }
No 9940, dated the 7th December 1906 }
No 2972, dated the 5th April 1907 }
No 2140, dated the 28th February 1908. }

—Printed in Appendix XVIII

¹ See now the Code of Criminal Procedure, 1898 (Act V of 1898) Printed General Acts, Vol V, Ed 1909, p 14.

WESTERN DIVISION¹

Orders under Acts locally applied.

No 12753, dated the 23rd December 1907.—Printed Volume I, page 70

Act XXIX of 1857
(Land Customs)

Routes for the
passage of goods
between Kathiawar
and British India

No 3102, dated the 16th August 1909—Printed in Appendix XVII

Indian Arms Act,
1878

Indian Arms Rules,
1908, in force on all
railways except those
in Kathiawar

No. 923, dated the 10th July 1908—In exercise of the powers conferred by section 2, sub-sections (1) and (2) of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, and in supersession of previous notifications the Governor-General in Council is pleased—

Police Act, 1888

Inclusion of the
Kotri-Rohri branch
of the North-Western
Railway, including
the length in Khan-
pur in a general
Police District

(a) to create a general police district embracing all the lands for the

The sections of the North-Western State Railway running on either side of the Indus, from Kiamari to the Punjab frontier near Rati, with their branches

The line between Ruk and the Baluchistan frontier near Jhatpat

The line between Hyderabad and the Jodhpur frontier, near Khokhropar

The line from Hyderabad to Badin

The line from Jamnā Junction to Jhudo

The line from Mupukhas Junction to Khadio.

time being occupied by the railways specified

in the margin, including all lands occupied

by stations, by out-buildings and for other

railway purposes, and to direct the enrolment

under the Police Act, 1861 (V of 1861), of a

police force for service therein, and

(b) to appoint the Governor of Bombay in Council to discharge within the general police district aforesaid the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of the Criminal Procedure, 1898 (V of 1898), and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof

[*Gazette of India*, 1908, Pt I, p 607]

¹ According to the classification on p 3, *supra*

² Inserted by notification No 1125, dated the 21st December 1909 *Gazette of India*, 1909, Pt. I, p. 1713

³ Inserted by notification No 1086, dated the 5th July 1912 *Gazette of India*, 1912, Pt. I, p 734

Inclusion of the other railways in the north of the Division, except lines in Kathiawar other than the Bombay, Baroda and Central India Railway, in a general police district

No 922, dated the 10th July 1908—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III of 1888), in force in British India or as locally applied, and in supersession of previous notifications the Governor-General in Council is pleased—

The main line of the Bombay, Baroda and Central India Railway from Oláná to Virangám

* The Tácti Valley Railway

* The Rájpura State Railway

* The Baroda Godhra Chord of the Bombay, Baroda and Central India Railway

* The Anand Godhra branch of the Bombay, Baroda and Central India Railway

* The section of the Godhra-Rotlán Nágda Railway from Godhra to the western end of the bridge over the Anas river

* The Anand-Tá ápur Railway

* The Tarapur Cambay Railway

* The Ahmedabad Páñthi Railway.

* The Ahmedabad Dholka Railway

† The Virangám-khéd ághoda branch of the Bombay, Baroda and Central India Railway

* The Meháran Virangám section of the Gaskwar's Moháda Railway

† The Virangám-Wadhwan branch of the Bombay, Baroda and Central India Railway

The main line of the Rajputana Malwa Railway from Rahmatnagar to the Rajputana frontier near Roho

‡ The Pálasapur-Decan Railway

(a) to create a general police

district embracing all the lands

for the time being occupied by

the railways specified in the mar-

gin, including all lands occupied

by stations, by out-buildings and

for other railway purposes, and

to direct the enrolment under the

Police Act, 1861 (V of 1861), of

a police force for service therein

and

(b) to appoint the Governor of Bombay in Council to discharge within, the general police district aforesaid the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (V of 1898), and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof

[*Gazette of India*, 1908, Pt I, p 607]

¹ Omitted by notification No 233, dated the 4th March 1909 *Gazette of India*, 1909, Pt I, p 186

* Railways of class A, see p 25 *supra*

† Railways of class C, see p 56 *supra*

‡ Railways of class B, see p 39 *supra*

No 921, dated the 10th July 1908.—In exercise of the powers conferred by section 2, sub-sections (1) and (2) of the Police Act, 1883 (III of 1883), as in force in British India or as locally applied and in supersession of previous notifications the Governor-General in Council is pleased—

* The main line of the Madras and Southern Maratha Railway from the Portuguese frontier near Castle Rock to the Tungabhadra River

* The West Deccan line or Poona branch from London to Poona

* The East Deccan line or Bijapur branch from Gadag to Hattgi

* The Harihar branch from Hubli to the frontier of Mysore near Harhar.

† The Kolhapur Railway

† The Sanli Branch Railway

The main line of the Great Indian Peninsula Railway from Bombay to the frontier of the Central Provinces

* The line from Kalyan to the frontier of Hyderabad near Dudhani

* The line from Dhond to Manmad

The Bahagurni-Hubbli branch

The Amalner-Jalgaon branch

The section of the Nagpur branch from Bhusawal to the frontier of Berar

The Khopoli branch from Palasdhari to Khopoli

* The Haini Light Railway

(a) to create a general police

district embracing all the lands

now occupied by the railways spe-

cified in the margin including all

lands occupied by stations, by out-

buildings, and for other railway

purposes, and to direct the enrol-

ment under the Police Act, 1861

(V of 1861), of a police force for

service therein, and

(b) to appoint the Governor of Bombay in Council to discharge, with respect to the general police district aforesaid, the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (V of 1898), and any other enactment relating to police for the time being in force in the lands aforesaid or in any part thereof

[Gazette of India, 1908, Pt I, p 606]

No 784-J B, dated the 9th April 1913.—Printed in Appendix XVIII

No 221, dated the 24th August 1911.—In pursuance of section 135 of the Indian Railways Act, 1890 (IX of 1890), and in supersession of all previous notifications on the subject the Governor-General in Council is pleased to declare that the Administration of the Bombay, Baroda and Central India (including Rajputana Malwa) Railway shall be liable to pay in aid of the funds of the local authorities set out in the schedule hereto annexed, the taxes specified against each in the second column hereof

Indian Railways Act, 1890.

(a) Rules for working open lines of railway and lines under construction and regarding accidents
(b) Delegation of powers to Local Governments

Taxes payable to local authorities by the Bombay, Baroda and Central India Railway.

* Railways of class A see p 85 supra

† Railways of class B, see p 89 supra

Schedule

Local authorities	Taxes.
1	2
* * * * *	* * * *
Wadhwan Municipality	Water tax

[*Gazette of India*, 1911, Pt I, p 69]

Taxes payable to local
authorities by the
Jetalpur Rajkot
Railway

No 228, dated the 24th August 1911—In pursuance of section 135 of the Indian Railways Act, 1890 (IX of 1890), and in pursuance of all previous notifications on the subject the Governor-General in Council is pleased to declare that the Administration of the Gondal-Forbandar (including the Jetalpur-Rajkot) Railway shall be liable to pay in aid of the funds of the local authorities set out in the schedule hereto annexed, the tax specified in the second column thereof

Schedule

Local authority	Tax
1	2
Rajkot Civil Station Municipality	Conservancy tax

[*Gazette of India*, 1911, Pt I, p. 699]

Authority to the
Secretary to the
Railway Board to
sign documents

No 802, dated the 24th March 1913—Printed in Appendix XVIII.

Epidemic Diseases
Act, 1897

Delegation of powers
to Local Government

No 5041-IC, dated the 20th December 1906—Printed in Appendix XVI

Code of Criminal
Procedure, 1898

Location, and defini-
tion of limit of
police stations on the
Kotri-Rohri Branch

No 1408, dated the 27th July 1897—In exercise of the power delegated to him by Government notification No 5937, dated the 21st August 1895, the Commissioner in Sind is pleased to declare that the following station on

the Kotri-Railway shall be a police station within the meaning of section 4 (a) of Act X of 1882¹ —

Name of Police Station.	Limits of Police Station.
Hyderabad	The whole of the Kotri-Rohri Railway line.

[*Sind Gazette*, 1897, Pt. I, page 291.]

No 7000, dated the 30th September 1912.—In supersession of all previous notifications on the subject, the Governor in Council is pleased to declare the following to be police stations under clause (a) of section 4 of the Code of Criminal Procedure, 1898, in the general police district embracing the lands

Government of India, Home Department, notification No 923, dated the 10th July 1908, as amended by Home Department notification No. 233, dated the 4th March 1909 (published at pages 1027 and 440 of the *Bombay Government Gazette* of 23rd July 1908 and 18th March 1909, respectively, Part I).

Government of India, Home Department, notification No 434, dated the 5th March 1912 (published at page 406 of the *Bombay Government Gazette* of the 21st March 1912, Part I)

for the time being occupied by the Bombay, Baroda and Central India, Rájputána-Málwa and other branch railway lines traversing the Bombay Presidency as specified in the marginally noted notifications of the Government of India. Each police station shall include the areas and sections of

Location and definition of limits of police stations on other railways in the north of the Division except in Kathiawar other than the Bombay, Baroda and Central India railway

the lines specified against its name.—

Police stations on the Bombay, Baroda and Central India Railway

Railway District	Names of police stations	Number of out posts under each police station	Area of length of line under each police station	Limits of each police station	Section of line under each police station
1	2	3	4	5	6
The main line of the B, B & C I Railway from Colaba to Viramgam	1 Grant Road (double line broad gauge)	10	38½ miles	Colaba to Vilar (inclusive)	The main line of the B, B & C I Railway
The Tapti Valley Railway	2 Bulsar (double line broad gauge)	1	110½ "	Vilar (exclusive) to Narsari (inclusive)	The main line of the B, B & C I Railway
The Rajpura State Railway	3 Nandathar (double line broad gauge)	3	156½ "	Kankaralhad (exclusive) to Anand (exclusive)	The Tapti Valley Railway
The Baroda Godhra Branch of the B, B & C I Railway	4 Anand (double line broad gauge and metro gauge)	6	117½ "	Narsari (exclusive) to Mirzanagar (inclusive) with Rajpura State Railway (metro gauge) (Ankleshwar to Nandod)	The main line of the B, B & C I Railway and the Rajpura State Railway
The section of the Godhra-Bulsar Nagda Railway, from Godhra to the west end of the bridge over the Anand river					

¹ See now the Code of Criminal Procedure, 1898 (Act V of 1898), Printed General Acts, Vol V, Ed 1909, p 14

Police stations on the Bombay, Baroda and Central India Railway—contd

Railway District	Names of police stations	Number of out posts under each police station	Area of length of line under each police station	Lines of each police station	Section of line under each police station
1	2	3	4	5	6
The A'und-Tarapur Railway	5 A'und (double and single line broad gauge)	5	105 miles	Miyagam (exclusive) to A'und (inclusive) with A'und to Cambay and A'und to Savalla (exclusive) Baroda (exclusive) to Anas (exclusive) with Savalla (exclusive) to Godhra	The main line of the B, B & C I Railway, the A'und-Tarapur Railway, the Tarapur-Cambay Railway and the A'und-Godhra branch
The Tarapur-Cambay Railway	6 Godhra (broad gauge)	3	117½ "		The A'und-Godhra branch, the section of the Godhra Ratl m-N & g d a Rail way, from Godhra to the western end of the bridge over the Anas river and the Baroda-Godhra Chord
The Ahmedabad-Dholka Railway	7 Ahmedabad (broad gauge double track)	2	70½ "	A'und (exclusive) to Viramgam (exclusive)	The main line of the B, B & C I Railway
The Viramgam Kharaghoda branch of the B, B & C I Railway	8 Viramgam (broad gauge and metre gauge)	3	102½ "	Mehsana (exclusive) to Wadhwan (inclusive) Viramgam Station included and Viramgam Kharaghoda branch	The main line of the B, B & C I Railway, the Viramgam-Wadhwan branch, the Viramgam-Kharaghoda branch and the Mehsana Viramgam section of the Gekwar's Mehsana Railway
The Viramgam-Wadhwan branch of the B, B & C I Railway	9 Awarwa (metre gauge)	4	121½ "	Dholka to Ahmedabad (exclusive) and Ahmedabad station to Khed Brahma	The Ahmedabad Prantij Railway, including the Idar Road Brahma Khed extension and the Ahmedabad Dholka Railway
The main line of the Rajputana Malwa Railway, from Sabarmati to the Rajputana Frontier near Roho	10 Mehsana (metre gauge)	6	121½ "	Ahmedabad (exclusive) to Roho with Palanpur Deesa branch	The main line of the Rajputana Malwa Railway from Sabarmati to the Rajputana Frontier near Roho and the Palanpur Deesa Railway
The Palanpur Deesa Railway					

[Bombay Government Gazette, 1912, Pt I, page 1670]

Location, and definition of limits of police stations on the Bhavnagar Railway and the Dhasa Dhoraj section of the Gondal-Portbandar Railway

No 6185, dated the 14th December 1883—The Right Honourable the Governor in Council is pleased to declare that the following Police Posts on the Bhavnagar-Gondal Railway line shall be Police Posts within the meaning of section 4, clause (1) of Act X of 1882¹—

No	Name of Police Station.	Local area to be included in Police Station
1	Ranpur	From (chainage 84.93) inclusive of the line of Railway including all stations on the main line to the distant signal semaphores of the Bhavnagar-Gondal Railway and Wadhwan station
2	Lathi	From branch line distant signal semaphores of Dholka junction station, including all stations on the branch line, to the Dhotaj station, inclusive

[Bombay Government Gazette, 1883, Pt I, p 1001]

¹ See now the Code of Criminal Procedure, 1898 (Act V of 1898) Printed General Acts, Vol V, Ed 1900, p 14

No. 8029, dated the 7th November 1912.—In supersession of all previous notifications on the subject, the Governor in Council is pleased to declare the following to be police stations under clause (s) of section 4 of the Criminal Procedure Code, 1898, in the general police district embracing the lands for the

Location, and definition of limits of police station on railways in the south of the Division.

Government of India, Home Department, notification No 921, dated the 10th July 1908, as amended by the like notification No 1466, dated the 7th November 1912

time being occupied by the G I P. and M. and S M and other branch railway lines traversing the Bombay Presidency as specified in the marginally-noted notifications of the

Government of India Each police station shall include the areas and sections of the lines specified against its name—

Railway District	Name of police stations	Number of outposts under each police station	Area of length of line under each police station	Limits of each police station	Section of line under each police station.
1	2	3	4	5	6
Police stations on the G. I. P. Railway					
The main line of the G. I. P. Railway from Bombay to the frontier of the Central Provinces	1 Bombay	7	28 miles	From Victoria Terminus to Thana (inclusive) Colaba and the Bombay Harbour Branch of the G. I. P. Railway from Tank Bunder to Kurla	The main line of the G. I. P. Railway from Bombay to the frontier of the Central Provinces The Bombay Harbour Branch of the G. I. P. Railway
The line from Kalyán to the frontier of Hyderabad near Dudhni	2 Kalyán	2	108 "	From Thana (exclusive) to Bore Ghat reversing and catch siding No 3 on the Thali Ghat reversing with Khopoli Branch—from Khopoli to Palnadhari.	The line from Kalyán to the frontier of Hyderabad near Dudhni The main line of the G. I. P. Railway from Bombay to the frontier of the Central Provinces The Khopoli Branch from Palnadhari to Khopoli.
The line from Dhand to Mahmúd	3 Igatpuri	3	80 "	From catch siding No 2 on the Thali Ghat (mileage 84) to Mahmúd (exclusive)	The main line of the G. I. P. Railway from Bombay to the frontier of the Central Provinces Do do
The Chalissagon-Dhulia Branch	4 Chalissagon.	3	123 "	From Mahmúd (inclusive) to Mhasvad (exclusive) with Chalissagon Dhulia Branch	The Chalissagon-Dhulia Branch
The section of the Nagpur Branch from Bhusaval to the frontier of Berar The Khopoli Branch from Palnadhari to Khopoli	5 Bhusaval	9	510 "	From Mhasvad (inclusive) to the frontier of the Central Provinces, mileage 306, and Bhusaval to the frontier of Berar, mileage 306, on the Nagpur Branch with the Algaon Amalner Branch, Amalner Station inclusive	The main line of the G. I. P. Railway from Bombay to the frontier of the Central Provinces The section of the Nagpur Branch from Bhusaval to the frontier of Berar The Amalner-Algaon Branch
The Barzi Light Railway	6 Ahmednagar	8	148 "	From Dhand (exclusive) to Mahmúd (exclusive)	The line from Dhand to Mahmúd
The Bombay Harbour Branch of the G. I. P. Railway	7 Poona	3	111 "	From Bore Ghat reversing to Dixal (exclusive)	The line from Kalyán to the frontier of Hyderabad near Dudhni.
	8 Barzi Road.	6	100 "	From Dixal (inclusive) to Barzi Road (inclusive) with Barzi Light Railway from Pandharpur to Latur (This includes Barzi Road to Pandharpur, Barzi Road to Barzi Town, Barzi Town to Tadval and Tadval to Latur.)	The line from Kalyán to the frontier of Hyderabad near Dudhni The Barzi Light Railway
	9 Sholapur.	2	89 "	From Barzi Road (exclusive) to Dudhni (inclusive), mileage 334.	The line from Kalyán to the frontier of Hyderabad near Dudhni

Railway District	Names of police stations,	Number of out posts under each police station	Area of length of line under each police station.	Limits of each police station	Section of line under each police station.
1	2	3	4	5	6
<i>Police Stations on the M. and S. M. Railway.</i>					
The main line of the M. and S. M. Railway from the Portuguese frontier near Castle Rock to the Tungabhadra river	1. Kotegeon	5	113½ miles	From Poona level crossing gate No 67 to Karad south distant signal,	The West Deccan line or Poona Branch from Londa to Poona
The West Deccan line or Poona Branch from Londa to Poona,	2. Miraj	3	121½ "	From Karad south distant signal to Chikodi south distant signal, Miraj to Kolhapur and Miraj to Sangli	Do do Kolhapur Railway, The Sangli Branch Railway
The East Deccan line or Bijapur Branch from Gadag to Hotgi.	3. Dolgaum	4	117½ "	From Chikodi south distant signal to Tavargatti, mile 89 13, and Londa to the Portuguese frontier.	The west Deccan line or Poona Branch from Londa to Poona The main line of the M. and S. M. Railway from the Portuguese frontier near Castle Rock to the Tungabhadra river
The Harihar Branch from Hubli to the frontier of Mysore near Harihar The Kolhapur Railway	4. Hubli	3	116½ "	From Alnawar, mile 80-13, to Harihar, Mysore frontier, mileage 50 24	The main line of the M. and S. M. Railway from the Portuguese frontier near Castle Rock to the Tungabhadra river The Harihar Branch from Hubli to the frontier of Mysore near Harihar
The Sangli Branch Railway.	5. Gadag		116½ "	From Hubli east distant signal to mile 161-2, Madasa frontier, and Gadag to Alur (Malprabha bridge, mile 30 15)	The main line of the M. and S. M. Railway from the Portuguese frontier near Castle Rock to the Tungabhadra river The East Deccan line or Bijapur Branch from Gadag to Hotgi.
	6. Bijapur.		142½ "	From Malprabha bridge (mileage 30 15) to Hotgi south distant signal,	The East Deccan line or Bijapur Branch from Gadag to Hotgi

[Bombay Government Gazette, 1912, Pt. I, p. 2006]

Indian Railway
Board Act, 1905.
Powers of the Rail-
way Board.

No. 801, dated the 24th March 1905
No. 9940, dated the 17th December 1906.
No. 2972, dated the 8th April 1907
No. 2140, dated the 28th February 1908.

}—Printed in Appendix
XVIII.

Orders under Local Laws.

Kathiawar Agency.
Police Law, 1896

No 80, dated the 20th November 1900—Section 52 of the Kathiawar Agency Police Law, 1896, is hereby extended to the following Railway Stations on the Railway line :—

- | | |
|----------------------------|-----------------------------------|
| 1 Rajkot Junction | 10 Dhoraji. |
| 2. Rajkot (Morvi Railway). | 11 Wadhwan City. |
| 3 Bhavnagar Terminus | 12. Lambdi |
| 4. Junagadh. | 13 Jetpur. |
| 5. Dhrangadhia. | 14. Chital |
| 6. Veraval. | 15. Ranpur. |
| 7. Jamnagar. | 16. Songadh. |
| 8. Porbandar. | 17 Sihor. |
| 9 Gondal. | 18. Wadhwan Camp (Morvi Railway). |

[Kathiawar Gazette.]

No. 42, dated the 6th August 1907.—Section 52 of the Kathiawar Agency Police Law, 1896, is hereby extended to the following stations on the Bhavnagar-Gondal-Junagarh-Porbandar Railway Line :—

1. Dhola Junction Station.
2. Jetalsar Junction Station.

[Kathiawar Gazette.]

NORTH CENTRAL DIVISION
Orders under Acts locally applied.

Inland Customs Act,
1875

No. 193-J, dated the 13th November 1878—Printed *supra*, page 95

Restrictions on
transport of salt.

No. 22-J, dated the 14th February 1879.—Whereas His Highness the Maharaja of Jaipur, His Highness the Maharaja of Kishangarh, His Highness the Maharaja of Bhairatpur, His Highness the Maha Rao Raja of Alwar, His Highness the Raja of Nabha¹ and His Highness the Nawab of Patana² have granted to the British Government full jurisdiction within those portions of land forming the Rajputana State Railway (including lands occupied as stations, out-buildings and for other purposes connected with the Railway) which lie within their respective territories.²

Powers under
Act on the
Rajputana State
Railway²

In exercise of such jurisdiction, and of the power conferred by section 31 of Act VIII of 1875 (the Indian Customs Act), the Governor General in Council is pleased to invest all Traffic Managers, Assistant Traffic Managers, Station Masters, Assistant Station Masters and Goods Clerks and also all Superintendents, Assistant Superintendents and Inspectors of Police on the said Rajputana State Railway, within the aforesaid portions of land, with all the powers of stoppage and seizure conferred on Customs officers under the said Act

[*Gazette of India*, 1879, Pt I, p 111]

Police Act, 1885

No. 1153, dated the 31st December 1909.—Printed *supra*, page 180.

Inclusion of the
Bhopal-Itarsi and
Bhopal-Ujjain
Railways, the
Bhopal-Bina
length of the
Midland section of
the Great Indian
Peninsula Railway,
and the Bina-Guna-
Baran and Baran-
Kota Railways in a
general police
district with the
Chief Commissioner
of the Central
Provinces as Local
Government.

¹ In the Punjab

² Now the Rajputana Malwa Railway main line Ajmer-Delhi, Sambhar (Kuchaman) Branch and Agra (Bandikui) Branch

Inclusion of the Midland section of the Great Indian Peninsula Railway in this Division,¹ except the length from Bhopal to Bina, in a general police district with the Lieutenant Governor of the United Provinces as Local Government

No. 447, dated the 6th March 1912.—Printed *supra*, page 133.

Inclusion of all other railway lands in this Division¹ in a general police district with the Agent to the Governor General in Rajputana as Local Government

No. 2817-I B, dated the 10th July 1908—In exercise of the powers conferred by section 2, sub-sections (1) and (2), of the Police Act, 1888 (III of 1888), as in force in British India or as locally applied, the Governor General in Council is pleased—

- (a) to create a general police district embracing all the lands, situate within the United Provinces of Agra and Oudh, the Punjab, ²Ajmer-Merwara, the Rajputana and Central India Agencies, and the Native States referred to in the list appended hereto, which are, or may hereafter be, occupied by the Railways enumerated in that list, inclusive of all lands occupied by stations, by outbuildings and for other railway purposes ;
- (b) to direct the enrolment under the Police Act, 1861 (V of 1861), of a police force for service therein, and
- (c) to appoint the Agent to the Governor General in Rajputana to discharge, with respect to the general police district and police force aforesaid, the functions of the Local Government under the Police Act, 1861 (V of 1861), the Code of Criminal Procedure, 1898 (Act V of 1898), and any other enactment relating to police for the time being in force in the lands above mentioned or in any part thereof

List of Railways.

- (1) The main line of the Rajputana-Malwa Railway from the frontier of the Bombay Presidency near Roho to the west distance signal at Rewari Junction, including the lands lying within the

¹ According to the classification on p. 4, *supra*.

² Inserted by notification No 1280-I B, dated the 29th June 1909. *Gazette of India*, 1909, Pt. I, p. 525

Native States of Sihoh, Jodhpur, Kishangarh, Jaipur, Alwar and 'Nabha.

- (2) The Sambhar Branch of the Rajputana-Malwa Railway from Phulera to Kuohaman Road with the extension to Japog, including the lands lying within the Native States of Jaipur and Jodhpur.
- (3) The Rewari-Phulela Chord Railway from the south distance signal at Rewari Junction to Phulera, including the lands lying within the Native States of 'Nabha, Alwar, 'Patiala, Jaipur and Jodhpur.
- (4) The Agra Branch of the Rajputana-Malwa Railway from Bandikui to the west distance signal at Achner, including the lands lying within the Native States of Jaipur, Alwar and Bharatpur
- ²(5) The Malwa Section of the Rajputana-Malwa Railway (including the Holkar State Railway) from Ajmer to the Naibada river (exclusive) near Mortakka with the branch from Fatehabad to the south distance signal at Ujjain, including the lands lying within the Native States of Mewar, Tonk, Gwalior, Dhar, Jaora, Ratlam, Sailana and Indore
- (6) * * * *
- (7) The section of the Godhra-Ratlam-Ujjain Railway from the western end of the bridge over the Anas river to the west distance signal at Ujjain, including the lands lying within the Native States of Gwalior, Indore, Sailana, Ratlam and Jhabua
- (8) Those sections of the Nagda-Muttra Railway which are, or hereafter may be, opened to traffic from Nagda Muttra (exclusive), including the lands lying within the Native States of Gwalior, Dewas (Junior Branch), Dewas (Senior Branch), Jhalawar, Indore, Kotah, Bundi, Jaipur, Karauli and Bharatpur.

[*Gazette of India*, 1908, Pt. I, p. 610]

¹ Included in the North-Western Division of Railways according to the classification on p. 2, *supra*.

² Substituted by notification No. 1280-I. B., dated the 29th June 1909 *Gazette of India*, 1909, Pt. I, p. 626

³ Cancelled by notification No. 551-D., dated the 27th February 1913 *Gazette of India*, 1913, Pt. I, p. 169.

Indian Railways
Act, 1890

- (a) Rules for working open lines of railway and lines under construction and regarding accidents
- (b) Delegation of powers to the Agents to the Governor General

No. 784-I.B., dated the 9th April 1913.—Printed in Appendix XVIII.

Magistrate to take action in regard to accidents on lines of the Bombay, Baroda and Central India Railway system in Central India.

No. 748-B—6307, dated the 17th May 1907.—In exercise of the powers conferred by the notification¹ of the Government of India in the Foreign Department, No. 534-I.B., dated the 8th February 1907, the Agent to the Governor General in Central India hereby appoints the Superintendent of Police, Rajputana-Malwa Railway, being a Magistrate of the 1st class to be the Magistrate who shall take action² in regard to accidents occurring on those portions of the Rajputana-Malwa and other Railways which run through the Central India Agency and on which³ the said Superintendent⁴ exercises the powers of a Magistrate of the 1st class.

[*Gazette of India*, 1907, Pt. II, p. 818.]

Magistrate to take action in regard to accidents on lines of the Bombay, Baroda and Central India Railway system in Rajputana

No. 2177, dated the 16th June 1911—Printed *supra*, page 105.

Taxes payable to local authorities by Rajputana-Malwa Railway

No. 221, dated the 24th August 1911.—In pursuance of section 135 of the Indian Railways Act, 1890 (IX of 1890), and in supersession of all previous notifications on the subject, the Governor General in Council is pleased to declare that the Administration of the Bombay, Baroda and Central India (including Rajputana-Malwa) Railway shall be liable to pay, in aid of the funds of the local authorities set out in the schedule hereto annexed, the taxes specified against each in the second column thereof.

¹ See now notification No. 784-I.B., dated the 9th April 1913. Printed in Appendix XVIII

² Cf. Rules 16—21 published in notification No. 81, dated the 7th March 1902, as applied by notification quoted in footnote 1 *supra*

³ *Viz.*, the Godhra Ratlam-Nagda, the Nagda Ujjain, the Rajputana-Malwa and the Nagda-Mutta Railways, cf. notification No. 861 I. B., dated the 10th February 1913, printed *supra*, p. 93

⁴ The Superintendent has been replaced as Magistrate by the Railway Magistrate at Ajmer.

SCHEDULE

Local Authorities	Taxes
1	2
* *	* *
Mhow Cantonment .	Water Tax

[*Gazette of India*, 1911, Pt I, p. 691]

No. 802, dated the 24th March 1905.—Printed in Appendix XVIII.

Authority to the Secretary to the Railway Board to sign documents.

No. 5041-I.C., dated the 20th December 1906 —Printed in Appendix XVI

Epidemic Diseases Act, 1897

Delegation of powers to the Agents to the Governor General

¹Rules for railways in Central India

Dated the 18th February 1897 —In exercise of the powers conferred on him by Foreign Department notifications ²Nos 443-I.A. and 444-I.A., dated the 4th February 1897, the Agent to the Governor General in Central India prescribes the following regulations for the inspection of persons travelling by railway in and through Central India, and the segregation in hospital, temporary accommodation or otherwise, of persons suspected by the inspecting officer of being infected with the plague or bubonic fever :—

1. Any medical officer or qualified medical practitioner may, at any railway station in the Central India Agency, compel any person or all the persons in any train stopping at such station to alight from that train and undergo such inspection of body or property as the said medical officer or the said qualified medical practitioner may consider necessary for determining whether the said person or persons travelling by train is or are suffering from or is or are likely to be infected with bubonic fever or plague

2. If any such traveller is found to be so suffering, or if the aforesaid inspection shows that he is likely to be infected with bubonic fever, it shall be competent for the person making the inspection to direct the removal,

¹ These rules are applied from time to time to stations by separate notification as occasion requires

Notification No 443-I.A. is printed in Appendix XVI, together with notification No. 5041 I.C., dated the 20th December 1906, which has superseded notification No. 444-I.A.

segregation in hospital, temporary accommodation or otherwise, of any person so suffering or likely to be infected

3. It shall be competent for the person making the said inspection, or for the person in medical charge of the place to which any such traveller is removed or in which he is segregated, to order the destruction by fire or otherwise of any of that traveller's property which he considers likely to spread infection of bubonic fever

4. It is obligatory on every traveller referred to in any of the foregoing sections to answer all questions put to him by the person making such inspection or in medical charge of the traveller, and such traveller is bound to answer any such question fully and truthfully to the best of his information, knowledge and belief

5. Any person taking action under any of the foregoing sections without authority from his official superior or from some officer of Government shall not be entitled to protection under section 4 of Act III of 1897, but such authority may be given by the Local Government indicated in Foreign Department notification¹ No. 143-I.A., dated 4th February 1897, subsequently to such action being taken

6. Any action such as is contemplated in the first three sections of these regulations which may have been taken before these regulations come into force shall be held to have been taken under these regulations.

7. These regulations shall have effect from the time and date of their receipt in any place by any person authorised to act under them,

[*Gazette of India*, 1897, Pt II, p. 220.]

No. 1783-G.—17.A-IV, dated the 11th April 1902—In exercise of the

Rules (so far as Native States are concerned) for the Cantonment of Deoli and railways in Rajputana over which jurisdiction has been ceded

1. Foreign Department notification No. 444-I A, dated 4th February 1897

2. Home Department notification No. 510, dated the 16th February 1897.

3. Home Department notification No. 334, dated the 6th March 1897

powers conferred on him by the notifications of the Government of India cited in the margin, the Hon'ble the Agent to the Governor General in Rajputana and Chief Commissioner, Ajmer-Merwara, is pleased to prescribe, in supersession of all previous regulations and orders relating to the subject, the following Regulations under section 2, sub-sections 1 and 2 (b), of Act III of 1897, for the Districts of Ajmer

and Merwara, and for all lands occupied by Railways within the limits of Rajputana —

PART I.

GENERAL ADMINISTRATION.

1. The general supervision of the arrangements for dealing with plague in the District of Ajmer-Merwara, and those connected with the observation

¹ See footnote 2 on page 168, *supra*.

and examination of travellers by Railway in Rajputana, is in the hands of the Residency Surgeon and Chief Medical Officer in Rajputana, under the control of, and subject to report to, the Agent to the Governor General in Rajputana and Chief Commissioner, Ajmer-Merwara

2. Under the direction of the Commissioner, the Assistant Commissioners, Ajmer and Merwara, and the Cantonment Magistrates, Nasirabad and Deoli, are generally responsible for the plague arrangements of their respective Districts and Cantonments.

An Assistant Commissioner or Cantonment Magistrate may, within the limits of his jurisdiction, issue such orders as may appear necessary, provided that they do not conflict with the general principles of these rules, and that an immediate report is made to the head of the department concerned in any important case in which such order affects any officer not immediately subordinate to him.

3. Subject to the general control of the Commissioner, the Civil Surgeon of Ajmer, as Chief Health Officer of the District, is directly responsible for the conduct of plague arrangements. He is Inspecting Medical Officer in respect of the arrangements relating to travellers by railway within the limits of the district

Within the limits of the Nasirabad and Deoli Cantonments the conduct of plague arrangements rests with the Staff Surgeon, Nasirabad, and the Agency Surgeon, Deoli, respectively.

4. The term "Medical Officer" in these rules means and includes—

- (a) the Civil Surgeon, Ajmer, the Staff Surgeon, Nasirabad, the Agency Surgeon, Deoli, the Assistant Surgeon, Beawar;
- (b) a Plague Inspecting Medical Officer at a Railway Inspecting Station, who is a Medical Officer appointed for the examination of railway passengers and connected precautions against the importation of plague;
- (c) any other person appointed by the Agent to the Governor General in Rajputana, and Chief Commissioner, Ajmer-Merwara, to be a Medical Officer for the purposes of these rules.

5. The term "Medical Assistant" includes all other medical practitioners in Government employ.

6. All the above officers are invested with powers to enforce the rules made by the Government of India and the Agent to the Governor General, Rajputana, and Chief Commissioner, Ajmer-Merwara, under the Epidemic Diseases Act, and to issue such orders in any particular case as may be necessary for the carrying out of these rules.

7. Every effort must be made to enlist the services of influential non-official representatives of the native community. It is not only in the actual carrying out of plague measures but in the discussion of what measures ought to be taken that their co-operation is required. Such discussion must, if the choice of members has been judicious, tend greatly to lessen the risk of popular misunderstanding. At the same time it affords an opportunity for explanation to the authorities of difficulties in the way of proposed action which might not otherwise be foreseen. When a particular line of action has once been adopted, it is most undesirable that there should be any hesitation in pursuing it, or any drawing back. The best means of avoiding such contingencies is to be found in the real and practical, not merely nominal, association of natives of ability and standing with the work of officials.

8. Any orders issued or action taken of special importance or general application by any person exercising authority under these rules shall be immediately reported to the Residency Surgeon and Chief Medical Officer in Rajputana, and the Agent to the Governor General in Rajputana, and Chief Commissioner, Ajmer-Merwara.

9. Any general orders issued by the Residency Surgeon and Chief Medical Officer in Rajputana to the Civil Surgeon of Ajmer in connection with plague operations shall be forwarded through the Commissioner, and a copy shall at the same time be sent to the Chief Commissioner.

10. All expenses incurred in carrying out these rules shall, in the first instance, be paid in the case of Ajmer-Merwara, if in a Municipality or Cantonment, from the Municipal or Cantonment Fund, otherwise from the District Fund or from any general allotment or special grant made for the purpose by the Government of India. In the case of railway lands in Native States, either by the Darbar concerned or from any special fund or allotment to which the amount may, by order, be made debitable.

PART II

PRECAUTIONS AGAINST IMPORTATION OF PLAGUE BY RAILWAY.

11. The Inspection Stations at present established are—

Name	For persons arriving from direction of
Ahmedabad	Bombay.
Ajmer	Bombay
Bandikui	Agra and Delhi
Bharatpur	Agra
Abu Road	Bombay and Ajmer
Marwar Junction	Bombay.
Alwar	Delhi
Atru ¹	Guna ¹

¹Inserted by notification No 1187, dated the 27th March 1908. *Gazette of India*, 1908, Part II, page 502.

At each of these Inspecting Stations Plague Inspecting Medical Officers have been posted

12. The Railway Surgeon and Chief Medical Officer in Rajputana will supply to all officers concerned a list of the areas which may from time to time be declared infected, and also notify all changes which may from time to time be made in such list

13. Every train coming from the direction of any area which may be notified from time to time as infected for the purpose of this rule shall be detained at the abovenamed stations so long as may be necessary for the medical examination of the passengers. The railway authorities shall detain the train so long as the Medical Officer may consider necessary for the purpose. On the arrival of the train at these stations, no passenger shall alight from the train without the permission of a Railway Police or Medical Official.

14. Every passenger shall, on being requested to do so, by any Railway Police or Medical Official, alight from the train, and proceed for the purpose of medical inspection to any spot that may be indicated by such official.

15. A passenger shall not depart from the spot so indicated without the permission of the Medical Officer

16. The examination of females shall be effected under the orders of the Medical Officer by women only

17. If, on inspection, and after due observation, the Medical Officer is satisfied that a passenger is suffering from plague, the Medical Officer shall immediately remove such person to a temporary hospital established for the purpose, and shall arrange for the detention, dieting and medical treatment of such person therein, for so long as he (the Medical Officer) may consider necessary

Passengers who have travelled in the same compartment as the patient shall be detained for observation in a segregation hut or tent (other than the observation shed provided under rule 18, or the hospital established under the first paragraph of this rule) until the Medical Officer considers it safe to allow them to proceed on their journey provided that when plague is indigenous and well-established in a place it will no longer be necessary to enforce the detention of persons found travelling in the same railway carriage with persons suffering from plague, surveillance being substituted therefor. But such detention must not exceed a period of ten days.

18. Subject to any instructions issued by the Agent to the Governor General and Chief Commissioner, the Medical Officer has authority to detain any passenger who after a summary medical examination is found to be

suffering from any suspicious symptoms. The Medical Officer shall remove any person so detained to the observation shed erected in the vicinity of the railway station, and shall arrange for the detention, dieting and medical treatment of such person in the observation shed for so long as he (the Medical Officer) may consider necessary.

19. If, in any case, a person removed to a temporary hospital is accompanied by a companion or attendant, the Medical Officer shall require such companion or attendant to live in the immediate neighbourhood of the temporary hospital in a segregation hut or tent provided for the purpose, and to remain in such place until he receives permission from the Medical Officer to depart.

20. If a person is attacked with plague while so segregated, the Medical Officer shall remove such person to the temporary hospital, and shall keep under observation in a segregation hut, tent or other suitable structure for a period of ten days from the date of such removal, any companion or attendant who has been with such person.

21. Upon the death of the sick person the Medical Officer shall, for the ten days immediately following, detain under observation all persons who have been in attendance on him, in segregation huts, tents, or other suitable structures established for the purpose in the neighbourhood.

22. A person dealt with under the foregoing rules shall comply with any directions that may be given to him by the Medical Officer with regard to his removal to, and his detention and treatment in, an observation shed, temporary hospital, or place of segregation, and with respect to the disinfecting or burning of his personal effects, or with respect to the disposal of any corpse, or any other similar matters, he shall not depart from any such place of detention without the permission of the Medical Officer.

23. The luggage and clothing of passengers detained under rules 18 and 20 (travelling from areas in which the plague prevails) shall be disinfected in accordance with Annexure I; or, instead of articles being boiled, they may be steeped in a solution of perchloride of mercury and sun-dried.

24. Except as provided for above, the persons and personal effects of passengers are on no account to be disinfected, whether they come from an infected area or not.

25. In cases where it is considered necessary that the clothes or bedding, etc., of a traveller should be burnt, the Medical Officer may, if the person is poor or for other sufficient reason, arrange for providing other articles in their place at the expense of Government, or for payment of compensation.

26. Persons other than those mentioned above, who alight from the train, and who come from an infected area, as denoted by their having punch-marked tickets, shall be brought under surveillance

In Ajmer-Merwara their names and addresses will be recorded by the Railway Police and communicated to District Superintendent of Police and officer in charge of Police Station of the circle, who will arrange to have their health enquired into daily for ten days, reporting at once to the Commissioner and District Magistrate, and if in Cantonments, to the Cantonment Magistrate, the development of any suspicious symptoms.

Elsewhere, their names and addresses shall be ascertained, and they shall be ordered to report themselves daily for ten days to such officer as the Medical Officer under the instructions of the Residency Surgeon and Chief Medical Officer may direct. The officer will be furnished by the Medical Officer with a daily list of persons ordered to report themselves to him. He shall record in a register the daily attendance of such persons, and shall at once bring any case of failure to attend to the notice of the Resident or Political Agent concerned, who shall thereupon take necessary action to have the case promptly investigated.

27. Railway Police and Station Masters, at places where there is no Inspecting Officer, will watch trains and persons who alight, and in case of discovering cases of plague or dangerous symptoms amongst the passengers will allow them to proceed to the nearest station where there is a Medical Officer, and communicate with the latter by telegraph. Corpses discovered in the train or near the line should be at once removed and kept apart in a convenient place, until they have been inspected by a Medical Officer, who should be telegraphed for for that purpose, and who will arrange for the proper disposal of the body. In the case of a European or Muhammadan, the body shall be buried at least six feet deep; the place of burial, if not an authorized cemetery, should be well away from habitations and sources of water-supply. In the case of a Hindu, the body shall be completely and thoroughly burnt in an isolated locality in the presence of a responsible official.

28 Every case of suspected plague or of a death occurring in a case where the existence of plague was known or suspected, or of a corpse being found in a train, shall be telegraphed urgent and direct by the Medical Officer, Railway Police, or Station Master, to whose knowledge it comes, to the First Assistant to the Agent to the Governor General, and the Residency Surgeon and Chief Medical Officer, and also, in Ajmer-Merwara, to the Commissioner, and to the Magistrate of the District in which the case occurs, and

in the Native States, to the Resident or Political Agent, and the Residency or Agency Surgeon

29. Cases of persons alighting and re-booking to avoid plague measures will be reported by telegraph by the Station Master or Railway Police to the Medical Officer or Railway Police of the Station to which the last booking is made, who will bring them under surveillance as in rule 26 above

30 The importation into Ajmer-Merwara or to Railway lands in Rajputana of used apparel and bedding (except personal baggage), rags, and waste papers from infected areas, is forbidden

31. It is imperative that Railway vehicles in which suspected or declared cases of plague have occurred should be stopped at and not allowed to run further than either the station at which such cases are removed from the carriage or the nearest medical inspection station, and that such vehicles shall be disinfected in accordance with the instructions contained in Annexure III *

PART III.

RULES RELATING TO MUNICIPAL TOWNS AND CANTONMENTS.

(I) *Preventive Action.*

32. The employment of volunteer agency for discovering cases of plague is to be resorted to as far as possible, though caution must be used in the acceptance of the result arrived at by it. Owners and occupiers of houses, resident heads of families, employers of factory labour, and medical practitioners should be encouraged to bring to the notice of the authorities cases of suspected plague and the arrival of persons from an infected area. In towns the practice of dividing into circles or wards and of arranging for the working in each of prominent inhabitants of that quarter as volunteers may, as a rule, usefully be adopted. House-holders and medical practitioners will sometimes give to such persons information which they would hesitate to communicate to a Government official. The case of employers of factory labour is different. It may often be found more convenient for them to work directly with the authorities. Compulsory notification is not to be enforced, but voluntary notification must in every possible way be encouraged. Where volunteer agency is available, it must not be allowed to work spasmodically; on the contrary, it is of the first importance that arrangements should be made for its systematic employment.

33. For the purpose of checking the occurrence of deaths, the Assistant Commissioner or Cantonment Magistrate may post Police Officers or other

* Not reprinted.

officials at burial and burning grounds. Such officials may enquire of the mourners the place and the cause of death, but shall not delay or interfere with the cremation or burial in any way. Compulsory corpse inspection by Medical Officers should not be resorted to, but during an outbreak of plague all deaths, the cause of which cannot be determined not to be plague, should be treated as deaths from plague. It will be open to any persons to voluntarily submit a dead body to the examination of a Medical Officer if they wish to avoid the death being treated as due to plague.

34 The Civil Surgeon, or authorised Medical Officer shall issue to the owner and occupier of a house such instructions as he may consider necessary with regard to the disinfection and cleaning of the buildings, the disinfection or destruction of personal effects, the disposal of any corpses, the improvement of the sanitary condition of the premises, and with regard to other similar matters. Where such instructions are in writing a copy of them should be sent to the Assistant Commissioner. The Medical Officer shall, if he considers it necessary, himself take measures for the disinfection of a house and for the other matters referred to in this rule.

35 When plague appears in a town or cantonment as a first or fresh infection, and before it is believed to have obtained a footing, the owner and occupier of any house shall permit the Medical Officer to enter his premises and examine any person whom he has reason to suspect to be infected with the disease. If the person be a female, the examination shall be made by a female Hospital Assistant or other female agency.

36. If, under the above circumstances, on examination of any person the Medical Officer suspects that such person is suffering from, or infected with plague, he may cause such person to be removed to a hospital, and may arrange for his detention, dieting, and medical treatment therein provided that no person in a moribund condition shall be removed to hospital, save at the express wish of the friends of the patient. He may also cause the other occupants of the house in which such person resides to be removed to a segregation camp, and to be detained under observation for ten days, provided that any member of the family of the person so removed, who wishes to accompany him to the hospital, shall be allowed to do so.

Instead of causing the occupants to be so removed the Medical Officer may direct any or all of them to present himself or themselves daily for inspection for the next ten days at any place or before any officer named by him. Any person to whom such an order is given shall be bound to obey it.

37 When plague has obtained a thorough footing, or is believed to be a recrudescence of a previous outbreak, the measures prescribed in rules 35 and 36 are not to be carried out compulsorily, although every effort should be

made to induce the persons concerned to submit to them as likely to be attended with partial, if not complete, beneficial effect

(2) *Action to be taken when an outbreak of plague has occurred or is likely to occur*

38. When there is reason to believe that cases of plague are occurring in a town, or are likely to occur owing to its proximity to an infected area, the town should be divided into quarters or circles of a size convenient for effective supervision, and each quarter should be placed, as far as possible, under the charge of an European official, to be called the Superintendent, who may be a Civil officer taken from any department, a Military or a Medical Officer according to circumstances.

39. The quarter under each officer should be sub-divided into defined areas, which may consist of a street, a portion of a street or group of houses and each of these sub-divisions should be placed under the charge of a district or local subordinate, who will be called a supervisor. With each supervisor will be associated one or more residents of the sub-division, who will assist the Supervisor in obtaining information regarding sickness and mortality in the areas respectively allotted to him. Under each Supervisor will be a gang of coolies, varying in numbers to suit the requirements of each locality.

40. While the use of search parties, paid spies and informers is prohibited the system of house-to-house visitation, with the object of discovering cases of plague, by Medical Officers or subordinates is not open to objection, provided the measure is carried out with tact and discretion. Such discretion may find expression in one way among others in consultation with ward members and other influential residents. Either they should, wherever possible, be associated in the task, or, as may in some cases be expedient, the duty may be entirely committed to them. House-to-house visitation is one of the matters in regard to which the exercise of tact is eminently necessary. It should be clearly understood that on no account should any house be entered without the consent of the occupiers, except in the particular circumstances referred to in rule 35.

41. As a sound system of surveillance is one of the most useful means of preventing a healthy place from becoming infected, people should be encouraged everywhere to carry out the work themselves, but the exact methods to be adopted will be determined by the authorities on the spot, with reference to local conditions and the resources at their disposal.

42. The Superintendent should be provided with a suitable office in his own circle, where he should remain the whole day, except at intervals for meals. The office will be his head-quarters, to which all communications,

should be sent and at which the supervisors will make their daily reports. He will exercise a general supervision over all the operations and will issue orders for the necessary action to be taken by each section of the gang of coolies

43. On a report being received by a Superintendent of the occurrence of a case of plague, he shall at once proceed to the house or other place where it is reported to have occurred. If the case is an undoubted case of plague, and is admitted to be such, he shall endeavour to arrange for the immediate removal of the patient to the Plague Hospital. If the case is of a suspicious nature, he shall at once send for a Medical Officer or Assistant, and shall endeavour to arrange for the removal of the patient either to a Plague Hospital or Plague Observation Ward according to the opinion formed of the case by the Medical Officer or Assistant. The removal of the patient to hospital or to an observation ward shall be compulsory only where it can be carried out so completely as to render it an effectual precaution, and in the case of persons with no one to look after them or no home

44. The other occupants of the place where the persons suffering from plague or suspected of plague reside must not be compulsorily removed to a Segregation Camp, but if any such camp or any suitable place of segregation exists, they may be encouraged to go there. All such persons must be kept under observation as far as possible. Until the period of incubation has elapsed they are not to be detained, but arrangements must be made for maintaining a watch over them, and in the event of any such person moving to a place outside the circle of the Superintendent to whom the case was reported, he must take every precaution to prevent his being lost sight of, and for promptly communicating information regarding him to the authority into whose jurisdiction he proceeds. The Superintendent may direct any such person to present himself daily for inspection for the next ten days at any place or before any officer named by him. Any person to whom such an order is given shall be bound to obey it.

45. No houses vacated on account of plague may be re-occupied without the Superintendent's sanction, and he may cause a notice to that effect to be affixed to each vacated house. He should place a seal on boxes containing valuable property left in houses which have been evacuated on account of plague. Such property may be removed by the owner, but if he declines to remove it, it will remain at his risk. Property of any value belonging to the poorer classes which it may be considered necessary or advisable to destroy as being infected, should be appraised by two or more respectable natives, and the value paid to the owner by the Superintendent of the Circle. Compensation should also be given without delay to the very poor for the destruction of

clothes, etc., which, although they may be of no market value, yet serve a useful purpose to the owners.

46. Each Supervisor shall keep a list of all residents in each house in his sub-division. He shall inspect all new arrivals, and shall obtain information from them as to their previous place of residence. He shall associate in his work as intimately as possible ward members or other respectable inhabitants of his sub-division. He should, in company with one or more of the local residents associated with him, visit all the houses in his sub-division, and obtain information regarding the health of the different inmates, and shall, on the conclusion of his rounds, report verbally to his Superintendent the occurrence of all cases of sickness and death, and any information regarding arrivals from infected localities. Any case of plague and all doubtful ones of sickness should be at once reported to the Superintendent at his office by day and at his house by night. The stock of disinfectants, padlocks and all surplus appliances for divisional use shall be kept in or near the office.

47. The inhabitants of an evacuated house should be allowed to remove sufficient grain for their personal consumption after it has been exposed to the sunlight so as to remove all danger of infection. If in any case it is desired to remove grain for sale from an infected area, it must first be spread out, under the direction of the Superintendent, and exposed to sun and sunlight for 48 hours. In neither case must bags or sacks be removed until they have been boiled or disinfected and sun-dried.

48. After evacuation of a house under rules 85 and 87, the walls and floors of all rooms with their contents except articles of food which it is not intended to destroy, and of all enclosures, should be disinfected in the manner indicated in Annexure I.* All rags and refuse found in the house or enclosure should be burned in the presence of the Supervisor. It is often prudent to disinfect not only one house in which a case of sickness has occurred or dead rats have been found, but those in the immediate neighbourhood as well. Where the Superintendent thinks such disinfection advisable it should be carried out under his orders.

49. When disinfection by chemical agency cannot be carried out effectively the roof, if not a *pukka* one, should be removed, and holes should be made in the walls to admit freely air and light to the smaller rooms and enclosures.

50. The coolies engaged in the work of disinfection, etc., should be provided with boots or shoes, to protect their feet from the danger of infection through abraded surfaces.

* Not re-printed,

51. Experience has abundantly proved that the evacuation of an infected house or houses is seldom in itself sufficient to stamp out the disease. When Plague manifests itself in one house in an indigenous form, those in the neighbourhood have, as a rule, already become infected, and it usually follows that cases subsequently appear in them. It is therefore always a wise and prudent course on the occurrence of an indigenous case, to evacuate not only the one house, but also all those in the immediate neighbourhood.

52. It may be advisable owing to the occurrence of several cases in one area, and while there is still some hope of stamping out the outbreak to vacate a group of houses or a whole sub-division, and to segregate the inhabitants. The whole or any portion of the population vacating may be removed to the segregation camp, but ordinarily inhabitants of non-infected houses should be allowed the option of going where they please. Disinfection and unroofing of the houses should then be carried out in due course.

53. On the evacuation of the houses in the infected area, all the inhabitants of the non-infected portion of the town should be encouraged to leave the town, and any obstacles which may tend to delay their departure should, if possible, be removed.

54. A person dealt with under the foregoing rules shall comply with and directions that may be given to him by the Medical Officer with regard to his removal to, and his detention and treatment in, an observation shed, temporary hospital or place of segregation, and with respect to the disinfecting or burning of his clothing and personal effects, the disposal of any corpse or with respect to any other similar matter. He shall not depart from any such place of detention without the permission of the Medical Officer.

55. In the event of a death occurring from plague, the disposal of the body shall be arranged for in accordance with the religious practices of the deceased, and the instructions in Annexure I.* In the case of a European or Muhammadan, the body shall be buried at least six feet deep, the place of burial, if not an authorised cemetery, should be well away from habitations and sources of water-supply. In the case of a Hindu, the body shall be completely and thoroughly burned in an isolated locality in the presence of a responsible official.

56. The Assistant Commissioner of the District, or the Cantonment Magistrate, in the case of a Cantonment, shall provide suitable conveyances for the free carriage of persons suffering, or suspected to be suffering, from plague, and it shall be lawful to drive or carry such conveyances through any public or private thoroughfare.

57. Any conveyance, public or private, used for the carriage of a person infected with plague or suspected of being infected, shall be thoroughly disinfected and exposed to air and sunlight for seven days previous to being again brought into general use.

(3) *General Sanitary Precautions*

58. In any Municipality or Cantonment the Assistant Commissioner of any Magistrate authorised by him in this behalf, or the Cantonment Magistrate, may issue general orders that by a certain specified date certain sanitary precautions of a simple nature, such as the free ventilation and lime-washing of houses, cleaning of latrines, the removal of filth and rubbish and of partitions which obstruct light and ventilation shall be carried out within any specified area, and all persons residing within such area shall be bound to give effect to these orders.

59. If within such time such persons fail to carry out the operations specified in the notice the Medical Officer may, with the sanction of the Assistant Commissioner or of the Cantonment Magistrate, enter upon the premises at any time between sunrise and sunset, after giving such notice of his intention as shall under the circumstances appear to him to be reasonable, and carry out the measures specified above, provided that when an apartment is occupied by a female who, according to the customs of the country, does not appear in public, the Medical Officer shall give at least one hour's notice of his intention to enter such apartment and shall afford her every reasonable facility for withdrawing from such portion of the apartment as he may desire to enter. The expenses incurred may be recovered from the persons who in the opinion of the Assistant Commissioner or Cantonment Magistrate may fairly be held responsible.

60. When any premises or any block of huts are in such an insanitary state as, in the opinion of the Medical Officer, to make the inmates thereof specially liable to an attack of plague, he may require the owner by notice to have the whole or any portion of such premises cleansed within a specified time in such manner as may appear to him necessary, and may in consultation, if necessary, with a competent Engineer, direct the owner to remove all structures, partitions, erections or portions of house-walls which obstruct light and ventilation. If within such time the owner fails to carry out the operations specified in the notice, the Medical Officer may, with the sanction in writing of the Assistant Commissioner or of the Cantonment Magistrate, enter upon the premises at any time between sunrise and sunset,

after giving such notice of his intention as shall, under the circumstances, appear to him to be reasonable, and carry out the measures specified above provided that when an apartment is occupied by a female who, according to the customs of the country, does not appear in public, the Medical Officer shall give at least one hour's notice of his intention to enter such apartment and shall afford her every reasonable facility for withdrawing from such portion of the apartment as he may desire to enter. The expenses incurred may be recovered in the manner provided in rule 59 above.

61 In a town or place where cases of plague have occurred, all grain godowns or places where grain is stored or sold for consumption, shall be open at all times for inspection by the Medical Officer, or officer deputed by him.

62 When a grain godown is found improperly ventilated or in such an insanitary condition from damp or otherwise as to be unwholesome for storage of grain, the proprietor shall be required to remove the grain to a properly constructed godown.

63 All grain godowns in which dead rats have been found shall be declared unwholesome and unfit for use until thoroughly disinfected. The grain found in such godowns may be turned over and properly aired or destroyed as unfit for food, and any bags in which infected grain is found stored shall also be destroyed.

64 No person, except Municipal or Cantonment servants, shall pick up rags or other refuse in the streets or elsewhere. The Assistant Commissioner or Cantonment Magistrate may disinfect or, at his discretion, destroy any collection of rags in rag pickers' houses or rag stores.

PART IV.

RULES RELATING TO NON-MUNICIPAL TOWNS AND VILLAGES

65 In villages and non-municipal towns it is the duty of every Patwar, Bhumia, Lambardar, Patel, Court of Wards Official, Kamdar or Havildar to at once report any suspected death or suspected case of plague to the nearest Police Station, and the Officer in charge of the Police Station on receiving report of a death, shall carefully inquire whether the deceased had symptoms of plague as described in ¹ Annexure I.

66. The Officer in charge of the Police Station shall report immediately to the Tahsildar, the District Superintendent of Police, the Assistant Commissioner, the nearest Medical Subordinate and the Civil Surgeon, any case

¹ Not re-printed

of plague, actual or suspected, brought to his notice. The Civil Surgeon will inform the Residency Surgeon and Chief Medical Officer and First Assistant to the Agent to the Governor-General and Chief Commissioner by telegram.

67. On receipt of a report of a case of plague from the police under the preceding rule, the Tahsildar, or, in his absence, the Naib Tahsildar, shall at once proceed to the spot, and if he finds that the death was due to plague, and that no other persons in the house in which the death occurred are ill, he shall proceed to dispose of the body (if not already disposed of), and to disinfect the house, clothes, and bedding of the deceased, as directed in¹ Annexure I, at the same time reporting the result of his inquiry to the Assistant Commissioner.

68. If he finds that any person in the house is ill with fever, he shall, with the assistance of the Lambardar or Patel of the village, in anticipation of orders from the Civil Surgeon or Assistant Commissioner, see that all the precautions specified in¹ Annexure I are rigorously observed. He will take similar action on learning of the occurrence of a case of plague at any wayside railway station in his Tahsil.

69. Officers of other Departments when on tour shall, if they have reason to think that any case of plague has occurred, at once inform the Tahsildar, and send a copy of their report to the Assistant Commissioner.

70. The nearest Medical Subordinate to receive information of cases of plague from the Officer in charge of a Police Station will ordinarily be the Hospital Assistant of a Branch Dispensary. The Hospital Assistant on receiving a report of a case shall, if possible, at once visit the spot in co-operation with the Tahsildar, and see that the necessary sanitary measures are taken. He shall communicate the result forthwith to the Civil Surgeon.

71. In places in which a Branch Dispensary is situated, Hospital Assistants shall themselves watch all arrivals and report sickness, with a description of the symptoms, to the Civil Surgeons of the district. The Officer in charge of the station in whose circle the dispensary is situated shall at once communicate to such Hospital Assistant all particulars received by him under rule 26.

72. The Civil Surgeon will arrange to proceed, as soon as possible, to places from which cases are reported. On arrival, the Civil Surgeon shall be guided in his action by the instructions in Part III and Part V, so far as they are applicable to the circumstances of the case.

73. Should the Civil Surgeon consider it necessary that the inhabitants of a village in which plague has broken out should temporarily camp out in the open or under trees at a distance from the village, he shall make a report

¹ Not re-printed.

to that effect to the Assistant Commissioner, and the latter may direct the inhabitants to vacate their houses accordingly. The houses shall in this case be not again occupied till they are thoroughly ventilated and disinfected.

74. For the purpose of segregation, the Assistant Commissioner, or officer specially authorised by him in this behalf, may take possession of and occupy any vacant ground or building, such compensation being afterwards made to the owner or occupier thereof as may be fixed under rule 94.

75. The Civil Surgeon may require any building to be vacated on suspicion of its being infected by plague, or on the ground of its being in a dangerously insanitary condition, and such building shall not be re-occupied without his permission.

76. In the case of villages badly infected, the whole of the inhabitants should be turned out. Villagers are accustomed to erecting shelters for themselves, but if necessary, materials for hutting should be supplied. The sick and suspected villagers should be carefully separated from the healthy, so far as is possible, without breaking up families, and an officer should be appointed to examine the daily health of the population and prevent migration to other villages.

PART V.

RULES RELATING TO PLAGUE HOSPITALS AND CAMPS.

77. A site for the hospital should be selected as near as possible to the infected population, but a permanent building, suitable in all respects for a hospital, may sometimes be obtained either inside or on the outskirts of the town. It can be easily disinfected when it is no longer required for a hospital, and such a building would be more popular and convenient than huts erected at a distance from the town.

78. If a suitable building is not available, it will be necessary to erect huts for plague patients, for convalescents, and for the observation of doubtful cases, on the nearest site. The hospital huts intended for females should be some distance apart from those intended for males. Movable mat screens should be provided between the beds to secure as much privacy as is possible to each patient. Every patient should be supplied with a cheap substitute for a spittoon, and both it and the vessels used as bed pans, should contain a sufficient quantity of an effective disinfecting solution. The floor of the hospital huts should be freely watered daily with the perchloride of mercury solution, and vessels containing the same solution should always be available for the disinfection of the hands and feet of the native attendants.

The disinfection solution is described in 'Annexure I'

huts for plague patients, for convalescents, and for the observation of doubtful cases, on the nearest site. The hospital huts intended for

¹ Not re printed.

79. Relations and friends of patients are to be permitted to attend upon them (so far as is consistent with the maintenance of discipline and order), and a stated time should be set apart for the visits of all other relatives and friends of the patients.

80 On the arrival of the patient at the hospital, all his clothing should be removed, and, if of little value, burnt in the presence of the Medical subordinate, otherwise they should be thoroughly disinfected. Hospital clothing should then be supplied. On recovery, the patient may be transferred to the convalescent ward or discharged. In either case, he should be given a warm bath and supplied with new clothes.

81 Huts for the segregation of individuals removed from infested houses and of all suspected persons should, if possible, be erected at a convenient distance from the hospital compound, and should be surrounded by a bamboo, or other fence. Individuals brought for admission into this camp may, if necessary, for the purpose of cleanliness, be bathed in a solution of carbolic acid—one to a hundred parts of water—and their clothing disinfected.

82 All the inmates should be inspected daily either by the Medical Officer or a Medical subordinate, and any case of plague detected should be removed at once to hospital, and doubtful cases of fever to the observation ward. If no case occurs amongst them after an interval of 15 to 30 days, they may be allowed to return to their houses, if such houses have been cleaned and disinfected, and if the local authority considers that they are fit for re-occupation, or be admitted into the camp for healthy individuals, after a second disinfection of their clothing.

83 Both the hospital compound and the segregation camp should be guarded by Police for the purpose of maintaining order and preserving property.

84 The establishment of separate hospitals and segregation camps for the reception of private families or for members of special castes and religions should be encouraged, and every assistance should be given by the local authority for their erection and supervision. The treatment of the patients admitted into these hospitals may, if desired, be placed in the hands of *vaidis* and *hakims*, and the internal management of both hospitals and camps may be conducted by members of the caste or religion concerned, subject, however, to the general supervision of a European doctor, in sanitary matters, where possible, and control of the local authorities, and to the usual arrangements as regards guards.

85 If it is found that the healthy, *i.e.*, people from houses not infected, wish or are willing to vacate their homes, a separate camp for their accommodation should be arranged for. In this case, the inmates should be allowed

to pursue their daily employments on condition that they sleep in camp, as a return to their own houses at night should render the effect of the voluntary evacuation futile

The huts should be numbered, inmates registered and a daily inspection made of all the residents. If no case of plague has occurred in a hut for 15 to 30 days, the inmates may be allowed to return to their houses, if such houses have been ventilated and cleaned, and if the local authority considers that they are fit for re-occupation

86. Should a case of plague occur in a hut, the patient should be removed to hospital, and the other inmates to the segregation camp. The hut should be at once burned and the site disinfected with the perchloride of mercury solution

87. The method of arranging a plague camp is given in Annexure II¹ to these rules.

88. The Commissioner may close a private hospital if it appears to him that the management of such hospital is not satisfactory

89. Every effort should be made to render plague camps and hospitals as attractive as possible, by studying the comfort and meeting the reasonable wants of the inmates, in order to induce the people to resort to them voluntarily

To this end the establishment of private and caste hospitals is to be encouraged. Hospitals should be located near infected quarters. The size of hospitals should be limited so that patients may receive sufficient individual attention and accommodation may be readily made available for their families and friends. Care must be taken to provide an adequate number of medical attendants and nurses. ample and comfortable accommodation is to be set apart for patients, and at least two friends should be permitted to be in attendance on each patient, so that no patient who has friends willing to attend him need ever be left alone.

PART VI.

MISCELLANEOUS.

Inoculation

90. On an outbreak of plague occurring the Residency Surgeon and Chief Medical Officer should at once place himself in communication with the Officer in charge of the Plague Research Laboratory in Bombay, with a view to obtaining a supply of lymph and syringes for inoculation, and instructions for their use. Inoculation should then be started under the personal supervision of the Civil Surgeon or a trained medical subordinate, and inocula-

¹ Not so printed.

tion certificates granted, free charge, to all who voluntarily undergo the process

91 No person shall be inoculated without his own express consent, but it is highly desirable that all officials, European and Native, leaders of Native Society and employers of labour should do all in their power by precept and example to render the measure popular, and to overcome any prejudice that may still exist against it. If any fact has been elicited by the experience of the recent epidemics of plague in India and elsewhere, as well as by scientific research and experiment, it is that Haffkine's inoculation confers a very sensible, although not absolute, protection against attack, with a diminished case mortality among the few of the inoculated who happen to become infected, while its use is unattended with more than a few day's discomfort.

Every person who holds a certificate that he has been inoculated by Haffkine's process within the preceding six months shall not be liable to detention when travelling, except for such time as may be necessary to disinfect such of his baggage or clothing as may be considered suspicious. He shall not be liable to daily observation for ten days after arrival from a plague-infected place. He shall not be segregated although he has been living in a plague-infected house.

The inoculation certificate shall be in the following form.—

Plague inoculation [Royal Arms] certificate

[COUNTERFOIL]

No

Name

Father's name

Street
Village

Town
Taluk

District
Date

Initials of operator

No

Certified that , father's name

resident of

Street
, Village

Town
Taluk

District

, has been inoculated by me, and that his thumb-mark was at the time impressed before me

Space for left
thumb mark

Signature and designation

Dated

NOTE.—This certificate exempts the holder from segregation, from detention when travelling and from ten days' observation under the passport rules. It does not, however, exempt him from liability to evacuate an infected house, except in the case where all the occupants of the house have been inoculated, or to have his clothes disinfected when travelling. The certificate is valid for a period of six months.

PASSES.

92 Persons who have been detained in a camp or otherwise under observation in Rajputana, including Ajmer-Merwara, shall on departure be

furnished with a certificate giving name, caste, age, occupation, address, destination, time of detention and date of departure, and signed by the Observing Officer

93 Persons travelling from an infected area who hold a certificate signed by a Medical Officer of having undergone detention in an observation camp for the prescribed period need not be again detained for observation unless it appears that since they were discharged from the Observation Camp they have halted at some place *en route* where they may have contracted infection.

COMPENSATION

94. The Commissioner may, in his discretion, pay compensation to any person who has sustained substantial loss or damage by reason of anything done under the powers conferred by these regulations, provided, however, that no person shall be entitled as of right to claim any compensation whatsoever

[*Gazette of India*, May 1902, Pt. II, p 608]

Indian Stamp Act,
1899

No 442-B, dated the 10th March 1913 —Printed Vol. II, page 172.

Appointment of
Collector under the
Act in railway
lands in Central
India.

No 2567-I B, dated the 30th December 1910. —Printed Vol II, page 172 [Reduction and remission of duties in railway lands] in Central India

No 910-I B, dated the 13th May 1910 —Printed Vol. III, page 757 [Ditto] in Rajputana

No. 3098-I. B., dated the 9th August 1907 —Printed Vol II, page 176

[Rules as to the use of impressed and adhesive stamps, etc., in railway lands] in Central India [Ditto] of the Great Indian Peninsula Railway, Midland section, the Bns Guwa-Baran Railway and the Rajputana-Malwa Railway in Rajputana

No 2972-I.B, dated the 2nd August 1907 —In exercise of the powers conferred by the Indian Stamp Act, 1899 (II of 1899), as applied to the railway lands in Rajputana by the notification of the Government of India in the Foreign Department, No 3777-I B, dated the 7th September 1906, the Governor General in Council is pleased to make the following rules under the said Act as so applied for the aforesaid areas, with effect from the 1st October 1907

Rules under the Indian Stamp Act, 1899.

CHAPTER I

Preliminary

1. In these rules, the expression "the Act" shall mean the Indian Stamp Act, 1899 as applied to the areas aforesaid.

Definition

¹ See now notification No 252-I, B, dated the 10th February 1913. Printed *supra*, p 83

Kinds of stamps. 2 There shall be two kinds of stamps for indicating the payment of duty on instruments chargeable with duty under the Act, namely

- (a) impressed stamps, and
- (b) adhesive stamps

CHAPTER II

Of Impressed Stamps

3. (1) Hundis, other than hundis which may be stamped with an adhesive stamp under section 11 of the Act, shall be written as follows, namely

Hundis.

- (a) A hundi payable otherwise than on demand, but not at more than one year after date of sight, and for an amount not exceeding rupees thirty thousand in value, shall be written on paper on which the necessary stamp bearing the word "Hundi" has been engraved or embossed
- (b) A hundi for an amount exceeding rupees thirty thousand in value, or payable at more than one year after date or sight, shall be written on paper, supplied for sale by the Government, to which a label has been affixed by the Superintendent of Stamps at Bombay and impressed by that officer in the manner hereinafter prescribed by rule 10

(2) Every sheet of such paper shall be of a size not less than $8\frac{1}{2} \times 5\frac{1}{2}$ inches, and no plain paper shall be joined to it

(3) The provisions of sub-section (1) of rule 6 shall apply also in the case of hundis

4. A promissory note or bill of exchange shall, except as provided by Promissory notes and bills of section 11 of the Act, and by these rules, be written on paper on which the necessary stamp, with or without the word "Hundi," has been engraved or embossed

5 Every other instrument chargeable with duty shall, except as provided by section 11 of the Act, [and rule 12] be written on paper, on which the necessary Other instruments. stamp, not bearing the word "Hundi," has been engraved or embossed

6 (1) Where two or more sheets of paper on which stamps are engraved or embossed are used to make up the amount of Provision where single sheet of paper is insufficient duty chargeable in respect of any instrument, a portion of such instrument shall be written on each sheet so used

(2) Where a single sheet of paper, not being paper bearing an impressed hundi stamp, is found insufficient to admit of the entire instrument being written on the side of the paper which bears the stamp, so much plain paper may be subjoined thereto as may be necessary for the complete writing of such instrument

Provided that in every such case the side of the sheet which bears the stamp shall be covered by a substantial part of the instrument before any part of the latter is written on plain paper joined to such sheet.

7 The duty payable on any instrument which is chargeable with a duty of one anna under the Act¹[or of two annas under Articles 5 and 47 of Schedule I thereof] may be denoted by a coloured impression marked on a skeleton form of such instrument by the Superintendent of Stamps at Bombay

8 The Superintendent of Stamps, Bombay, is empowered to affix and impress labels, and shall be deemed to be "the proper officer" for the purposes of the Act and of these rules.

9 (1) Labels may be affixed and impressed by the proper officer in the case of any of the instruments mentioned in Appendix A, and of the counterparts thereof

Affixing and impressing of labels by proper officer permissible in certain cases.

(2) Labels may likewise be affixed and impressed by the proper officer in the case of any of the instruments mentioned in Appendix B, when written in any European language, and accompanied, if the language is not English, by a translation into English

10. (1) The proper officer shall, upon any such instrument, as is referred to in rule 9, being brought to him before it is executed, and upon application being made to him for that purpose, affix thereto a label or labels of such value as the applicant may desire and pay for, and impress such label or labels by means of a stamping-machine, and also stamp or write on the face of the label or labels the date of impressing the same before returning the instrument to the applicant. In the case of instruments written on parchment, the labels shall be further secured by means of metallic eyelets

(2) On affixing any label or labels under this rule, the proper officer shall, where the duty amounts to rupees five or upwards, write on the face of the label or labels his initials, and, where the duty amounts to rupees twenty

¹ Inserted by notification No 853-I.B., dated 28th April 1911, *Gazette of India*, 1911, Pt. I, p 306.

or upwards, shall also attach his usual signature to the instrument immediately under the label or labels

(3) Any principal assistant of the proper officer, if empowered by the Agent to the Governor-General in Rajputana in this behalf, may discharge the functions of the proper officer under sub-section (2) of this rule

11 (1) Instruments (other than instruments which, under section 11 of the Act, may be stamped with adhesive stamps) executed out of British India or the areas to which these rules apply and requiring to be stamped after their receipt in the said areas shall be stamped with impressed labels

(2) Where any such instrument as aforesaid is taken to the Collector under section 18, sub-section (2), of the Act, the Collector shall send the instrument to the proper officer, remitting the amount of duty paid in respect thereof, and the proper officer shall stamp the instrument in the manner prescribed by rule 10 and return it to the Collector for delivery to the person by whom it was produced

CHAPTER III

Of Adhesive Stamps

[12 The following instruments may be stamped with adhesive stamps —

- (a) Bills of exchange payable otherwise than on demand and drawn in sets, when the amount of duty does not exceed one anna for each part of the set.
- (b) Transfers of debentures of Public Companies and Associations
- (c) Copies of maps and plans and printed copies when chargeable with stamp duty under Article 24 of Schedule I of the Act.
- (d) Instruments chargeable with stamp duty under Articles 5 and 43 of Schedule I of the Act, when the amount of duty does not exceed 2 annas]

13 When any instrument of transfer of shares in a Company or Association is written on a sheet of paper on which the necessary stamp is engraved or embossed and the value of the stamp so engraved or embossed is subsequently, in consequence of a rise in the market value of such shares, found to fall short of the amount of duty chargeable under Article No 62 (a) of Schedule I to the Act, one or more adhesive stamps bearing the words "Share Transfer," as hereinafter prescribed, may be used to make up the amount required

¹ Substituted by notification No 653 I.B., dated the 28th April 1911, *Gazette of India*, 1911, Pt I, p 306

14 Except as otherwise provided by these rules, the adhesive stamp or stamps used to denote the duty of one anna shall bear the words "One Anna" or "Half Anna," as the case may be, and the adhesive stamp used to denote the duty of half an anna shall bear the words "Half Anna"; and such stamp or stamps may be superscribed either for postage or for revenue or for both postage and revenue

Adhesive stamp or stamps denoting duty of one anna or half an anna

15 The following instruments, when stamped with adhesive stamps, shall be stamped in the manner hereinafter prescribed, that is to say

- (a) Bills of exchange, cheques, and promissory notes drawn or made out of British India or the areas to which these rules apply and chargeable with a duty of more than one anna shall be stamped with adhesive stamps bearing the words "Foreign Bill."
- ¹[(b) Transfers of shares and debentures of Public Companies and Associations shall be stamped with adhesive stamps bearing the words "Share Transfer"]
- (c) Notarial acts shall be stamped with adhesive foreign bill stamps bearing the word "Notarial"
- (d) Copies of maps or plans ²[and printed copies] certified to be true copies shall be stamped with adhesive court-fee stamps.

CHAPTER IV.

Miscellaneous.

When an instrument bears a stamp of sufficient amount, but of improper description, the Collector may, on payment of the duty with which the same is chargeable certify by endorsement on the instrument that it is duly stamped

Provision for cases in which improper description of stamp is used

Provided that if application is made within three months of the execution of the instrument, and the Collector is satisfied that the improper description of stamp was used solely because of the difficulty or inconvenience of procuring one of proper description, he may remit the further payment of duty prescribed in this rule

17. The Collector may require any person claiming a refund or renewal under Chapter V of the Act or his duly authorized agent, to make an oral deposition on oath or affirmation, or to file an affidavit, setting

Evidence as to circumstances for claim to refund or renewal

¹ Substituted } by notification No 853 L.B., dated the 20th April 1911 *Gazette of India*
² Inserted } 1911, Pt I, p 803.

forth the circumstances under which the claim has arisen, and may also, if he thinks fit, call for the evidence of witnesses in support of the statement set forth in any such deposition or affidavit as aforesaid.

When an application is made for the payment, under Chapter V of the Act, of an allowance in respect of a spoiled or misused stamp, or on the renewal of a debenture and an order is passed by the Collector sanctioning the allowance or calling for further evidence in support of the application then if the amount of the allowance on the stamp given in lieu thereof is not taken, or if the further evidence required is not furnished as the case may be, by the applicant within one year of the date of such order as aforesaid, the application shall be struck off and the spoiled or misused stamp (if any) sent to the Superintendent of Stamps, Bombay, for destruction.

18. Where the Collector makes a refund under section 55 of the Act, he shall cancel the original debenture by writing on or across it the word "Cancelled" and his usual signature with the date thereof.

Mode of cancelling original debenture in case under section 55 of Act.

19. On the conviction of any offender under Chapter VII of the Act, the Collector may grant to any person who appears to him to have contributed thereto a reward within a limit to be fixed by the Agent to the Governor-General in Rajputana.

Rewards.

APPENDIX A.

List of instruments referred to in rule 9 (i) of the rules.

	No of Article in Schedule I of the Act.
(a) Administration-bonds	2
(b) Affidavits	4
(c) Appointments made in execution of a power	7
(d) Articles of Association of a Company	10
(e) Articles of clerkship	11
(f) Bills-of-lading	14
(g) Charter-parties	20
(h) Declarations of trust	24A
(i) Instruments evidencing an agreement relating to (1) the deposit of title-deeds or instruments constituting or being evidence of the title to any property whatever (other than a marketable security), or (2) the pawn or pledge or hypothecation of movable property	5
(j) Leases printed or lithographed in an oriental language, when the written matter filled in does not exceed one-fourth of the printed matter	35
(k) Memorandum of Association of Companies	39

List of instruments referred to in rule 9 (1) of the rules.

	No. of Article in Schedule I of the Act.
(l) Mortgages of crops	41
(m) Notes of protest by Masters of Ships	44
(n) Policies of insurance	47
(o) Revocations of trust	64B
(p) Share warrants issued by a Company in accordance with section 80 of the Indian Companies Act, 1882 (VI of 1882), other than share warrants issued before the fourteenth day of November, 1890, with adhesive stamps bearing the words "Share Transfer" and denoting the full amount of duty payable thereon, which share warrants shall be held to have been duly stamped	59
(q) Warrants for goods	65
¹ (r) Note or memorandum when the duty payable exceeds 2 annas	43(b)

APPENDIX B

List of instruments referred to in rule 9 (2) of the rules

	No of Article in Schedule I of the Act
(a) Agreements or memoranda of agreements which, in the opinion of the proper officer, cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed	5
(b) Instruments engrossed on parchment and written in the English style, which, in the opinion of such officer, cannot conveniently be written on sheets of paper on which the stamps are engraved or embossed
(c) Award	12
(d) Bills of-exchange payable otherwise than on demand and drawn in the areas to which the foregoing rules apply	13 (L) and (c)
(e) Bonds	15, 16, 28, 34, 56 and 57
(f) Certificates of sale	18
(g) Composition deeds	22
(h) Conveyances	23
(i) Instruments imposing a further charge on mortgaged property	32
(j) Instruments of apprenticeship	9
(k) Instruments of co-partnership	46A
(l) Instruments of dissolution of partnership	46B
(m) Instruments of exchange	31
(n) Instruments of gift	23
(o) Instruments of partition	45
(p) Leases	35

¹ Added by notification No 853-I. B., dated the 28th April 1911 *Gazette of India*, 1911,
Pt I, p 306.

List of instruments referred to in rule (9) 2 of the rules—contd.

(g) Letters of license	83
(r) Mortgage deeds	40
(s) Powers of attorney	48
(t) Reconveyances of mortgaged property	54
(u) Releases	55
(v) Settlements	58
(w) Transfers of the description mentioned in Article 62, clauses (c), (d), and (e) of Schedule I of the Act	62, (c) (d) and (e)

[*Gazette of India*, 1907, Pt I, p. 657.]

Indian Railway
Board Act, 1906
Powers of the Rail-
way Board.

No. 801, dated the 24th March 1905.

No. 9940, dated the 17th December 1906.

No. 2972, dated the 8th April 1907.

No. 2140, dated the 28th February 1908

} Printed in Appendix XVIII.

Code of Criminal
Procedure, 1898

Location and limits
of police stations on
railways in
Central India.

No. 60, dated the 3rd February 1910.—Under the provisions of section 4 (s) of Act V of 1898, the Code of Criminal Procedure, the Chief Commissioner is pleased to declare that, with effect from the 1st January 1910, the undermentioned railway police posts, which have been transferred from the United Provinces to the Central Provinces Government Railway Police, shall be police stations of the Central Provinces Railway police district and shall include the railway areas attached to them as shown in the lists maintained in the Office of the Superintendent, Government Railway Police, Central Provinces (Nagpur).—

1 Bhopal

2 Bina

3 Guna

Indian Registration
Act, 1908.

[*Central Provinces Gazette*, 1910, Part I, page 77.]

Formation of Dis-
tricts and Sub Dis-
trict and appoint-
ment of Inspector
General, Registrars
and Sub-Registrars
in Railway lands,
Rajputana.

No. 244-I B, dated the 25th January 1912.—With reference to sections 3, 5, 6 and 7 of the Indian Registration Act, 1908 (XVI of 1908), as applied to the railway lands in the Rajputana Agency mentioned in the schedule hereto annexed, and in supersession of the notification of the Government of India in the Foreign Department, No 1435-I B, dated the 12th July 1911, the Governor General in Council is pleased to make the following orders:—

1. All powers and duties conferred and imposed by the Act upon the Inspector General of Registration shall be exercised and

performed within the railway lands mentioned in column 1 of the schedule as lie in the States mentioned in column 2 thereof by the officer mentioned in the fifth column

- 2 For the purposes of the Act, the railway lands lying in the States mentioned in the second column of the schedule shall form a district and also a sub-district
3. Every officer mentioned in the third and fourth columns of the schedule shall be Registrar and Sub-Registrar of the said district and sub-district, respectively
4. The office of the officers mentioned in the third and fourth columns of the schedule shall, respectively, be the office of the Registrar and of the Sub-Registrar in question.

SCHEDULE

Railway	District and Sub-District	Sub Registrar	Registrar.	Inspector-General
1	2	3	4	5
Rajputana Malwa Railway	Mowar .	The Cantonment Magistrate, Nasirabad The Sub-Registrar for the time being of Ajmer	The Assistant Commis- sioner, Ajmer The Political Agent, Eastern Rajputana States The Resident, Jaipur	The Agent to the Governor General in Raj- putana
	Tonk .			
	Bharatpur .	The Sub Registrar for the time being of Bewar.	The Assistant, Commis- sioner, Ajmer	The Commis- sioner of Ajmer Mor- wara.
	Alwar .			
	Jaipur .			
Rewari Phulera Chord Railway	Kishongmah Jodhpur .	The Sub Registrar for the time being of Ajmer.	The Resident, Jaipur The Political Agent, Eastern Rajputana States The Assistant Commis- sioner, Ajmer.	
	Sirohi .			
	Jaipur .			
	Alwar .			
Nagda- Muttra Railway.	Jodhpur	Railway Magistrate . Ditto Ditto	The Political Agent, Harnoti The Resident, Jaipur The Political Agent, Eastern Rajputana States	The Agent to the Governor General in Raj- putana
	Jhalwar .			
	Kottah .			
	Bundi .			
	Tonk .			
Indian Mid- land Rail- way. Agra Delhi Chord Rail- way.	Kaisali .	Ditto . Ditto . Ditto .	Ditto The Political Agent, Harnoti The Political Agent, Eastern Rajputana States	
	Bharatpur			
	Dholpur .			
	Kottah Bharatpur			

Fees in Railway
lands in Rajputana

No. 509-C — 1969, dated the 29th March 1913 — With the approval of the Governor General in Council, and in exercise of the powers conferred on him by the notification of the Government of India in the Foreign Department, ¹No. 262-I. B., dated the 10th February 1913, the Agent to the Governor General in Rajputana is pleased to prescribe, with effect from the 1st April 1913, the following table of fees for the registration of documents, etc., under Act XVI of 1908, in respect of the Railway areas under British jurisdiction in Rajputana as detailed in the Foreign Department notification ²No. 244-I. B., dated 25th January 1912, with the exception of the Agia-Delhi Chord Railway which has been affiliated to the Muttia District by the like notification ³No. 1947-I. B., dated 16th September 1912.

TABLE OF FEES LEVIABLE UNDER THE INDIAN REGISTRATION ACT, XVI OF 1908.

ARTICLE I.

The Act divides documents into two classes. —

Class 1st.—Those the registration of which is obligatory under section 17.

Class 2nd.—Those the registration of which is optional under section 18.

First Class,

I.—Instruments of gift of immoveable property. —

		Rs. A. P.
When the value of gift expressed in the instrument does not exceed Rs. 100		0 8 0
Exceeding Rs. 100 but not exceeding Rs. 500		2 0 0
Ditto " 500	ditto " 5,000	4 0 0
Ditto " 5,000	ditto " 10,000	6 0 0
Ditto " 10,000	ditto " 25,000	8 0 0
Ditto " 25,000	ditto " 50,000	10 0 0
Ditto " 50,000	ditto " 75,000	12 0 0
Ditto " 75,000	ditto " 1,00,000	16 0 0
Over	" 1,00,000	20 0 0
When the value is not expressed		10 0 0

II.—Lease of immoveable property from year to year or reserving a yearly rent —

		Rs. A. P.
When the rent per annum entered in the lease does not exceed Rs. 100		0 2 0
Exceeding Rs. 100, but not exceeding Rs. 500		0 4 0
Ditto " 500		0 8 0
When the rent is not stated		2 0 0

III.—Other non-testamentary instruments which purport or operate to create, declare, assign, limit, or extinguish, whether in present or in future, any right, title, or interest, whether vested or contingent, of the value of

¹ Printed *supra* p. 88.

² Printed *supra* p. 180.

³ Printed *supra* p. 11.

one hundred rupees and upwards, to or in immoveable property :—

			Rs.	A.	P.
When the value of the right, title or interest, as stated in the instrument, does not exceed Rs 200			1	0	0
Exceeding Rs 200 but not exceeding Rs 500			2	0	0
Ditto " 500 ditto " 2,500			4	0	0
Ditto " 2,500 ditto " 5,000			6	0	0
Ditto " 5,000 ditto " 10,000			8	0	0
Ditto " 10,000 ditto " 50,000			10	0	0
Ditto " 50,000 ditto " 1,00,000			16	0	0
Over			20	0	0
When the value is not expressed			10	0	0

IV—Non-testamentary instruments which acknowledge the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation, or extinction of any such right, title, or interest —

			Rs.	A.	P.
When the consideration-money, as stated in the instrument, does not exceed Rs 200			1	0	0
Exceeding Rs 200 but not exceeding Rs 500			2	0	0
Ditto " 500 ditto " 2,500			4	0	0
Ditto " 2,500 ditto " 5,000			6	0	0
Ditto " 5,000 ditto " 10,000			8	0	0
Ditto " 10,000 ditto " 50,000			10	0	0
Ditto " 50,000 ditto " 1,00,000			16	0	0
Over			20	0	0
V—Written authorities to adopt not conferred by Will			4	0	0

Second Class

I—Instruments (other than instruments of gift and Wills) which purport or operate to create, declare, assign, limit, or extinguish, whether in present or in future, any right, title, or interest, whether vested or contingent, of a value less than Rs. 100, to or in immoveable property —

			Rs.	A.	P.
When the value of the right, title, or interest, as stated in the instrument, does not exceed Rs. 50			0	4	0
Exceeding Rs 50			0	8	0

II.—Instruments acknowledging the receipt or payment of any consideration on account of the creation, declaration, assignment, limitation or extension of any such right, title or interest .—

			Rs.	A.	P.
When the consideration money, etc., does not exceed Rs. 5			0	4	0
Exceeding Rs 50			0	8	0

III—Leases of immoveable property for any not exceeding one year and leases exempted under section 17 :—

			Rs.	A.	P.
When the rent per annum entered in the lease does not exceed Rs 100			0	2	0
Exceeding Rs 100, but not exceeding Rs 500			0	4	0
Ditto " 500, ditto " 1,000			0	8	0
Ditto " " 1,000			1	0	0
When the rent is not stated			4	0	0

IV.—Instruments which purport or operate to create, declare, assign, limit, or extinguish any right, title or interest to or in moveable property.—

		Rs	A	P
When the value of the property is expressed in the instrument and does not exceed Rs. 50		.	0	2 0
Exceeding Rs. 50, but not exceeding Rs. 100		.	0	4 0
Ditto „ 100, ditto „ 200		.	0	8 0
Ditto „ 200, ditto „ 500		.	1	0 0
Ditto „ 500, ditto „ 2,500		.	2	0 0
Ditto „ 2,500, ditto „ 5,000		.	4	0 0
Ditto „ 5,000, ditto „ 10,000		.	6	0 0
Ditto „ 10,000, ditto „ 50,000		.	8	0 0
Ditto „ 50,000, ditto „ 1,00,000		.	10	0 0
Over		.	16	0 0
When the value is not expressed		.	10	0 0

V.—Wills—

On deposit of sealed cover under Section 42, Act XVI of 1908	2	0	0
On application under section 44 for withdrawal of sealed cover deposited under section 43	2	0	0
On application under section 45 for opening a deposited sealed cover	2	0	0

NOTE—A charge at the rate prescribed in Article LX is to be made for copying into the register book the contents of such sealed cover

	Rs.	A	P
On the registration of Wills	2	0	0

VI.—

(a) For safe custody of any non testamentary document in the iron-safe of a Registrar	2	0	0
(b) For return of any such document deposited for safe custody in the iron safe of a Registrar	2	0	0

VII.—Deed bonds, contracts, or other documents:—

When the amount is expressed and does not exceed Rs. 50		.	0	2	0
Exceeding Rs. 50, but not exceeding 100		.	0	4	0
Ditto „ 100 ditto 200		.	0	8	0
Ditto „ 200 ditto 500		.	1	0	0
Ditto „ 500 ditto 2,500		.	2	0	0
Ditto „ 2,500 ditto 5,000		.	4	0	0
Ditto „ 5,000 ditto 10,000		.	6	0	0
Ditto „ 10,000 ditto 50,000		.	8	0	0
Ditto „ 50,000 ditto 1,00,000		.	16	0	0
Over		.	10	0	0
When the value is not expressed		.	10	0	0

VIII.—

For the registration of a power-of-attorney or any other document registrable under clause (f), section 18, Act XVI of 1908, which cannot be brought under the <i>ad valorem</i> scale prescribed by the immediately preceding clause of this table	2	0	0
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ARTICLE II.

For authentication of a power-of-attorney under section 33, Act XVI, 1908—

	Rs.	A.	P.
If such power be general	2	0	0
If special	1	0	0

ARTICLE III

On discretionary registration by a Registrar under section 30, Act XVI, 1908, an additional fee of

Rs A P
4 0 0

NOTE A.—This additional fee is not payable on the deposit of Wills, nor shall it be levied when the instrument is taken for registration to the Registrar in consequence of the Sub Registrar being unacquainted with the language in which it is written, nor when a deed is registered by the District Registrar in consequence of the Sub Registrar being a party interested in the transaction to which such deed relates.

ARTICLE IV

For filing a translation

Rs A P
1 0 0

ARTICLE V

Searching of Registers.

For the first hour or part of such hour 1 0 0
For each subsequent hour or part of an hour 0 8 0

NOTE.—When a Registering Officer is called upon by a Judicial Officer to search registers in order to ascertain whether a particular property is encumbered or not, he shall do so free of charge.

ARTICLE VI

For the attendance by Registering Officer under sections 31, 33 or 35 at a private residence or a jail, or for the issue of a commission under section 36 or 38, Act XVI of 1908 :—

- | | Rs | A | P |
|--|----|---|---|
| (a) When a satisfactory certificate is produced as to sickness or infirmity, or when the person to be examined is confined in jail, a fee of | 5 | 0 | 0 |
| (b) When the woman to be examined is exempted from personal appearance under section 132 of the Code of Civil Procedure, a fee of | 5 | 0 | 0 |
| (c) When the person to be examined is exempted from personal appearance under section 133 of the Code of Civil Procedure a fee of | 16 | 0 | 0 |
| (d) In all other cases | 10 | 0 | 0 |

NOTE A.—In addition to this fee, travelling allowance at the following rates is to be levied for all distances exceeding one mile from the Registration Office :—

In the case of Conventanated and Military Commissioned Officers, three annas a mile by rail and eight annas a mile by road

In the case of all other Registering Officers, or of Commissioners if appointed, one and a half annas a mile by rail and four annas a mile by road

NOTE B.—The costs of visit, or of a commission, for the examination of a person exempted under section 133 of the Code of Civil Procedure shall be paid by him, unless the party requiring his evidence pays such costs

ARTICLE VII

When, under section 36, Act XVI, 1908, application is made to the Officer or Court appointed by the Local Government to issue a summons, the process fee ordinarily payable on the issue and service of a summons by such Officer or Court is to be levied from the person at whose instance the application is made, and forwarded along with that application.

ARTICLE VIII

The remuneration of witnesses is to be fixed by the Registering Officer with reference to the rules for the time being in force under order XVI, rule 2 of the Code of Civil Procedure, and must be forwarded with the

application for the issue of summons. When, however, the person summoned is the person who has executed the instrument, remuneration should not be allowed him.

ARTICLE IX

Making or granting copies of reasons, entries, or documents before, on or after registration —

Document in the Urdu language if under		Rs. A. P.			Document in English, Hindi, or any other language under		Rs. A. P.		
		100 words	0	1 0			50 words	0	1 0
"	150	"	0	2 0	"	100	"	0	2 0
"	250	"	0	3 0	"	200	"	0	4 0
"	350	"	0	4 0	"	300	"	0	6 0
"	450	"	0	6 0	"	400	"	0	8 0
"	500	"	0	7 0	"	500	"	0	9 0
"	600	"	0	8 0	"	600	"	0	11 0
"	900	"	0	12 0	"	700	"	0	14 0
"	1,200	"	1	0 0	"	750	"	1	0 0

Note A —Copies of reasons granted before registration are those which in cases of refused registration are under section 76, Act XVI, 1908, to be given on application made by any person executing or claiming under the documents.

Note B —The entering of instruments in the appropriate registers at the time of registration is to be paid for at the rate prescribed in Article IX, and any copies or copying of an instrument necessary under sections 64, 65 and 66, Act XVI, 1908, are to be paid for at that rate at the time of registration of the instrument.

Note C —When application for a copy under section 57, Act XVI, 1908, necessitates a search, the fee prescribed by Article V is to be levied in addition to that chargeable under Article IX.

Note D —Government officers who may require to search the registers or take copies of entries in the registers for *bond fide* public purposes will be exempted from payment of the fees under Articles V and IX, on a certificate being granted by the Registrar that the information is required solely in the interests of Government.

ARTICLE X.

Unclaimed documents deposited by a Registrar in his iron-safe will be surrendered only on payment of a fee of four annas per mensem, for each month, or portion of a month, during which they have been held in custody.

ARTICLE XI

When the value of an instrument is expressed in pounds sterling, pounds currency, the value of such money shall be calculated in the currency of British India according to the following scale —One pound sterling or pound currency is equivalent to fifteen rupees.

[*Gazette of India*, 1913, Pt. II, p. 935.]

No. 510-C—1269, dated the 29th March 1913.—In exercise of the Rules in Railway Lands in Rajputana powers conferred on him by notifications of the Government of India in the Foreign Department ¹Nos. 244-I B. and ²262-I B., dated respectively the 25th January 1912 and 10th February 1913, the Agent to the Governor General in Rajputana is pleased to issue the following rules under section 69 of the Indian Registration Act, 1908 (XVI of 1908), in respect of the Railway areas mentioned opposite his name in column 1 of the Schedule of the aforesaid notification ¹No. 244-I B., dated the 25th January 1912, with the exception of the Agra-Delhi Chord Railway which has been affiliated to the Muttra District by the like notification ²No. 1947-I B., dated 16th September 1912

These rules will have effect in the aforesaid areas from and after the 1st of April 1913

Regarding safe custody of records and their destruction.

The office of every Registrar and Sub-Registrar will be supplied with a strong tin-lined box with a Chubb's lock. In this box the Register Books and all papers and instruments connected therewith shall be kept. No money or valuables of any kind shall be deposited in it. The box shall be placed in the room where the Registering Officer transacts his public business, and shall be opened by that officer himself, or in his presence. When locked, the key shall be retained in his own possession. He shall be responsible for the preservation and safe custody of all registration records, including those of previous years, which have accumulated in his office or been transferred to it

2. Every Registrar shall supply himself with a fire-proof safe. In the safe shall be kept sealed covers of Wills, which may be presented for deposit under section 48, and Wills which may be *opened and redeposited* under section 45 of Act XVI of 1908. Save as provided in rule 3, it shall not be used for any other purpose whatever. The key of the safe shall remain in the personal custody of the Registrar, who alone shall open or close the safe. The safe shall be kept where it cannot be affected by damp, and it shall be opened once a week at least with the view of ascertaining that its contents (if any) are safe, and that the lock is in order

3. All documents other than those deposited under sections 42 and 43 of Act XVI of 1908, and authorities to adopt, which subsequent to registration in a Registrar's office are not claimed by the persons who presented them for registration, shall, after the expiry of one month, be deposited in the fire-proof safe of the Registrar's office for safe custody and shall be surrendered only

¹ Printed *supra* p. 180.

² Printed *supra* p. 11.

³ Printed *supra* p. 88.

on payment of the fees prescribed by Article X of the Table of Fees. Unclaimed documents presented for registration in the offices of Sub-Registrars, shall, on the expiry of one month, be sent to the Registrar of the District for safe custody in his fire-proof safe and shall only be surrendered on payment of the fees prescribed by the Article above mentioned.

4. Every Sub-Registrar shall, at the close of each official year report to his Registrar the different kinds of records and the periods to which they belong, which he considers may be destroyed, and the Registrar after examining all the reports of his district, and recording his opinion thereon, shall add a report of the same description for his own office, and forward the whole for the orders of the Inspector-General, whom they should reach by the 1st of May. No records shall be destroyed except by the direction of the Inspector-General.

5. Inspections allowed under section 57 of Act XVI of 1908, shall be made in the presence of the Registering Officer, and without writing materials.

6. If the production of a Register Book or of any document in the custody of a Registering officer be required by any Court, it shall be forwarded under charge of a responsible official and application shall be made to the Court for payment of his expenses.

7. *The languages which shall be deemed to be commonly used.*—With reference to section 19 of the Act it is declared that the languages held to be commonly in use in the Registration districts as notified in column 2 of the Schedule to the notification of the Government of India in the Foreign Department, ¹ No. 244-I B, dated 25th January 1912, with the exception of the district consisting of the portion of the Rajputana-Malwa Railway which passes through the Jodhpur and Sirohi States, are English, Urdu, and Hindi, but documents presented for registration may be written in any language commonly in use in a district, in case, however, of the language being other than Urdu and Hindi, they must be accompanied by a true translation into Urdu and Hindi, and also by a true copy. Documents written in English when presented to a European officer or an officer knowing English, need not be accompanied by an Urdu and Hindi translation.

8. *Territorial Divisions.*—The territorial divisions to be recognised under section 21 are the Railway lands notified as sub-districts in column 2 of the schedule mentioned in rule 7 above. The names of those divisions shall be entered in all documents relating to houses and lands, in addition to the name of the Railway station and the adjoining boundaries of the property.

9. *Fines.*—Fines under section 25 shall be levied according to the following scale when, owing to urgent necessity or unavoidable accident, documents are presented for registration after the lapse of the four months

allowed by section 23 or section 24. No registration fees shall be levied in addition to the fines.—

Where the delay has not been more than one month	} An amount equal to twice the proper registration fee
Where the delay has been more than one month, but not exceeding two months	} Three times the amount of the proper registration fee
More than two months, but not exceeding three months.	} Six times the amount of the proper registration fee
More than three months, but not exceeding four months	} Ten times the amount of the proper registration fee

Additional fines levied under the proviso in section 34, shall be according to the same scale

10 Applications to the Inspector-General for remission in whole, or in part, of any fine levied under this rule, shall be submitted through the Registrar, who shall endorse his own opinion thereon, and forward them for orders. No such application shall be received or forwarded where the document has not already been registered and the fine or fines paid

11. *Administration of oaths.*—The discretion vested in Registering Officer by section 63 shall be used with reserve, and oaths administered only in exceptional cases

12. An oath administered to any person under section 63 includes an affirmation under Section 6 of Act X of 1873.

13. Statements made on oath under section 63 shall not be recorded on the documents, but on separate sheets of paper. They will form a record, and shall be filed in the Registry Office

14 A note to the effect that recorded evidence has been taken shall be endorsed on the document and entered in the margin of the Register Book in which the document is registered.

15. *Form of memoranda*—The form, in which memoranda under Sections 64, 65 and 66 shall be prepared, is that given in the Appendix No. 1. Blank lithographed forms will be supplied to each office on application to the Inspector-General

16. When a Registrar receives copy of an English document, which requires that memoranda be forwarded to Sub-Registrars who do not understand English, the memoranda shall be prepared in Urdu or Hindi

17 *Authentication of Register Book.*—Every entry made in the Register Books, shall be an exact counterpart of the original, and shall be carefully compared with it, all interlineations, blanks, erasures or alterations, which appear in the original shall be shown in the copy entered in the Register. The Registering Officer shall satisfy himself that this has been done, verifying by his signature or initials any corrections rendered necessary by mere errors of transcription, but no such correction shall be made by an erasure or with a knife. The Registering officer shall also see that the entry has been made in the book to which it properly belongs, that the number affixed to it is that which it ought to bear in order to maintain the consecutive series required by

section 58, and that the book, the volume and the page entered in the certificate of registration are correctly stated, after which he shall authenticate the entry by legibly affixing his signature in full, together with his official designation at the end of the copy of document registered. Copies of endorsement shall also be initialed or signed by the Registering Officer. The entries shall be authenticated daily as they are made in the Register Books.

18. *Particulars to be contained in Indexes Nos I, II, III and IV.*— Index No I is that in which section 55 requires that the names and additions of all persons executing and of all persons claiming under every document entered into, or memorandum filed in Book No. I, shall be entered

It shall contain the following headings —

- | | |
|--|---|
| (1) Name of person. | (6) Number of book |
| (2) Father's name | (7) Volume of book |
| (3) Residence. | (8) Page of book. |
| (4) Profession, trade, caste | (9) Letters under which other persons interested in the transaction have been entered |
| (5) Interest in the transaction, <i>e.g.</i> ,
buyers, mortgages, etc | |

19 Index No. II is that in which by section 55 particulars mentioned in section 21, relating to every document entered or memorandum filed in Book No. I, are to be entered. It shall contain the following headings —

- | | |
|--|--|
| (1) Name of Railway Station | (4) Nature of transaction, <i>e.g.</i> , sale of land, lease of house, mortgage of land or house, etc, etc |
| (2) Name of Sub-district | (5) Number of book in which document is registered |
| (3) Name of district and the Railway line. | (6) Volume of book |

(7) Page of book

20. Index No. III is that in which section 55 requires the names and additions of all persons executing every Will and authority entered in Book No III, and of the executors and persons respectively appointed thereunder and after the death of the testator or donor (but not before), the names and additions of all persons claiming under the same shall be entered. It shall contain the headings prescribed for Index No I

21 Index No IV is that in which section 55 requires the names and additions of all persons executing and of all persons claiming under every document entered in Book No. IV to be entered. It shall contain the heading prescribed for Index No. I

22. A Sub-Registrar, on registering a document of the nature referred to in section 64 or 65, shall enter in his Index No. II, only that portion of the property which is situate in his own sub-district. A Registrar receiving a copy of a document under section 65 or 66 will enter only the property situate in his own district.

23. A Sub-Registrar receiving a memorandum of a document from a Sub-Registrar, or the Registrar of his own district, will enter the particulars relating to it in his Indexes No. I and No II, but when the memorandum has been received from the Registrar, the entries should be made, in red ink,

with a view to facilitate the omission of such entries in the copy of the Indexes to be furnished to the Registrar

24. The first letter of the name of person shall be the guide to the letter under which the entry is made, and not of the title or caste and for Europeans, of the surname.

25. Where endorsements or Index entries are made in English, the spelling of vernacular names of places and persons will be regulated by the following table :—

ā	_____	ā	_____
ṣ	_____	ī	_____
ś	_____	ī	_____
ṣ	_____	ē	_____
z	_____	ū	_____
t	_____	ū	_____
z	_____	ū	_____
A small ' placed above the vowel with which it is sounded. }		ū	_____
		ū	_____
ś	_____	ū	_____
ṣ	_____	ū	_____
g	_____	ū	_____
h	_____	ū	_____
g	_____	ū	_____
l	_____	ū	_____
m	_____	ū	_____
n	_____	ū	_____
w, o, u, au, (as the case may be)	_____	ū	_____
h	_____	ū	_____
y, ai, e, (as the case may be)	_____	ū	_____
ā	_____	ū	_____

26. Index entries shall be made on the same day as the document to which they relate is copied or filed in its Register book. They shall be made alphabetically, in Urdu or Hindi on loose sheets of paper, corresponding in size with the sheets of the Register Books, and marked do do, etc

Each page shall contain at least 15 entries, and when, under any letter, a sufficient number of entries to fill a sheet, exclusive of those in red ink, have been made in Index No. I or No. II or No. III, the Sub-Registrar shall cause a clearly written copy of them to be made without delay on good paper of the same size as that of the Register Books, and forwarded to his Registrar. The copy so forwarded shall consist of complete sheets, containing at least 60 entries.

27. On the expiration of the calendar year, the remaining entries under each letter shall be copied and forwarded to the Registrar.

28. In forwarding index sheets, Sub-Registrars shall note at the foot of the last page of each sheet the date up to which it contains entries, and shall also attach their signature and the date of despatch.

29. The Registrar, on receipt of such sheets, shall file them under their appropriate letters in his Index file, and on receiving those containing the

remaining entries for the year, shall file them also as above directed, and cause the whole, including those for his own office, to be properly bound into one or more volumes as may be expedient, with reference to volumes being of a convenient size

30 *Holidays*.—The holidays to be observed in Registration Offices shall be those which may be laid down by the Chief Commissioner, Ajmer-Merwara, for the Civil Courts in Ajmer-Merwara.

GENERAL RULES.

31. *Register Books*.—Book No. 1 is the register of non-testamentary documents relating to immoveable property. This Book and the Indexes^s relating thereto are open to inspection, and copies of entries in them shall be given to all persons applying for them on payment of the prescribed fees. In this book shall be entered all documents registered under sections 17 and 18 which relate to immoveable property and are not Wills. It shall contain the following headings :—

- (1) Value of stamp and copy of all endorsements made in the Registry Office.
- (2) Serial number of entry, and nature and value of transaction and amount of registration and copying fees and of fines levied.
- (3) Copy of document
- (4) Note of certified copies of decrees and orders of Civil Courts. Copies of maps shall be pasted on to the first page of the entries to which they appertain.

32. When any document is registered in this book, affecting some other document previously registered in it, a note referring to the later document should be entered in the left hand margin (heading No. 4) of the entry of the earlier document

33. A supplementary volume of this register in the form of a file book shall be kept up in each office, for the purpose of filing (pasting) in copies and memoranda of instruments received from other officers under sections 64, 65, 66 and 67. This volume shall be called "Supplementary Book No. 1," and shall be so designated in the Indexes in all entries relating to documents filed in it.

34. Book No. 2 is the book in which reasons for refusing to register are to be recorded. It is also open to inspection, and copies of entries in it shall be given to all persons applying for them. When a Sub-Registrar refuses to register a document, on the ground that the property to which it relates is not situate within his sub-district, he need not make an order of refusal, nor record his reasons for refusal. It shall contain the following headings :—

- (1) Serial number and date
- (2) Nature and value of transaction, and value of stamp
- (3) Reasons for refusal

85. Book No. 3 is the register in which Wills and authorities to adopt are to be entered, after they have been registered under section 41, also such Wills as have been opened under section 45. This book is not open to inspection, nor are its Indexes, but copies of entries in it or them shall on payment of prescribed fees be given to persons executing the documents to which the entries relate or to their Agents, and after the death of the Executants (but not before) to any person applying for such copies, the search must be made by the Registering Officer only. When a Will entered in this book affects immoveable property situate in more districts or sub-districts than that where the entry has been made, no copy or memorandum of such Will need be sent to the Registering Offices of those districts or sub-districts. It shall contain the following headings —

- (1) Value of stamp and copy of all endorsements made in the Registry Office
- (2) Serial number of entry and nature of document and amount of fees levied.
- (3) Copy of document

86 To prevent mistakes, it is here explained that every document making posthumous disposition of property is a Will, and should be entered in this book, and that a document which merely declares the fact of having adopted a son, or given a son for adoption, is not an "authority to adopt a son," and should not be entered in this book but in Book No. 4.

87. Book No. 4 is the miscellaneous register in which are to be entered all documents registered under clause (d) and (f) of section 18 which do not relate to immoveable property. It is not open to inspection nor are its Indexes, but copies of entries in it or them shall be given to any person executing or claiming under the documents to which such entries refer, on payment of the prescribed fees. The search must be made by the Registering Officer only. It shall contain the following headings —

- (1) Value of stamp and copy of all endorsements made in the Registry Office
- (2) Serial number of entry and nature and value of transaction and amount of fees and fines levied
- (3) Copy of document.

88 Book No. 5 is the register of deposits of Wills, and is to be kept only in the Offices of Registrar, who alone can receive Wills in sealed cover for deposits. It shall contain the following headings. —

- (1) Serial number
- (2) Superscription on the sealed cover
- (3) Inscription on the seal of the cover
- (4) Time of presentation and receipt of the sealed cover. Year, month, day, hour
- (5) Name of depositor of the sealed cover.
- (6) Names of persons testifying to the identity of depositor
- (7) Time of delivery of the sealed cover to applicant for withdrawal Year, month, day, hour
- (8) Names of persons testifying to the identity of applicant at the time of delivery
- (9) Time of opening of the sealed cover. Year, month, day, hour.

39. In addition to the above books, there shall be kept in every Registering Office a Book No 6 for the purpose of recording brief abstracts of Powers-of-Attorney, authenticated under section 33. It shall contain the following headings —

- (1) Number (in consecutive series), commencing and terminating with the year.
- (2) Date (year, month, day).
- (3) Name and father's name of principal executing the power.
- (4) Name of Attorney.
- (5) Names of persons identifying the principal.
- (6) Abstract of the contents of the power and amount of fees levied

Only Powers-of-Attorney to present documents for registration shall be recorded in this book, and this is the only description of Power-of-Attorney which Registering Officers can authenticate under Section 33. General Powers-of-Attorney can be authenticated under this Section, only when they *expressly* contain authority to present documents for registration.

40. If in any Registry Office the number of documents to be registered be so large that there is difficulty in entering them day by day in the appropriate register, the Registering Officer shall be empowered by the Inspector-General to keep up concurrently two volumes of either Register Book No. 1, or No 4, the document bearing even numbers being entered in one volume, and those bearing odd numbers in the other.

41. All documents shall be presented and registered at the Registration Office at the head-quarters of each district, or sub-district, as the case may be, except in cases specially provided for by the Act.

42. Where Registering Officers have other duties to perform, a certain portion of each day shall be allotted exclusively to registration work. The time so set apart shall be made generally known, and a written notice of it exhibited in a conspicuous and accessible part of the building in which the Registry Office is located. The notice shall state the hours at which documents will be received and returned daily.

43. At the hours appointed in the notice, the Registering Officer shall personally receive all documents for which registration is sought, have them examined in his own presence, and if they are to be admitted, inform each party of the amount he has to pay; and as soon as it is paid, the receipt prescribed in section 52 shall be given to him. If in payment of the fees any party pay more than the exact amount due, the balance shall be returned to him at once.

44. When the necessary endorsements have been recorded, the documents shall be made over to the Registry Moharrir, for the purpose of being entered in their appropriate registers, and as soon as this has been done, the Moharrir shall return the documents to the Registering Officer, who shall retain them.

in his own possession until the time appointed for returning documents comes round, and then cause each to be delivered in his own presence to the proper party, the receipt given for it being at the same time taken back. If the party claiming to receive any document be other than the party to whom the receipt was granted, he must have been nominated in writing on the receipt by the original holder of it, as directed in section 61.

45 The receiving of documents or of money, the recording of endorsements and the returning of document shall not be left to any Moharrir, to do at any time, or in the absence of the Registering Officer.

46 Registering Officers shall maintain a vigilant control over their Moharrirs, and not place them in closer contact with the public than is unavoidable.

47. When the Registering Officer is not personally acquainted with executants, he shall require them to produce persons to testify to their identity, who are personally known to him, or to some other person whom he personally knows. He may also, if he think fit, cause descriptive rolls to be recorded of the persons representing themselves as executants, but this procedure must be in addition to, and not take the place of the positive procedure required by section 34, that the Registering Officer shall satisfy himself of their identity, for it must be borne in mind that such descriptive rolls afford in themselves no proof of identity.

48. If the person presenting the document is an agent, he must produce a Power-of-Attorney executed in the presence of and authenticated by a Registering Officer, as required by section 33 of the Act. If he is a representative or assign, he must produce evidence of his status.

49. *Endorsements.*—Endorsements shall be written as far as possible in the language best understood by the party presenting the document for registration: that is to say if he be a European, in English, if a Native, in Urdu or Hindi. The forms for endorsements appended, No. 2 shall be observed by all Registering Officers.

50 Endorsements shall always be written in the presence of the Registering Officer and of the executants of documents, or of the parties authorized to admit execution of them.

51 The fee prescribed for making a copy applied for under the Act shall be paid before the copy is prepared. Before granting an application for a copy the applicant should therefore be informed of the amount of fee leviable under Article IX of the Table of Fees prescribed by the notification of the Agent to the Governor General in Rajputana, ¹No. 509-C.—1269, dated 29th March 1913.

¹ Printed *supra* p. 182.

APPENDIX No. 1.

Memorandum of a document registered by (Registrar or Sub-Registrar of

Date of Execution	Particulars relating to the Executant	Particulars relating to the person in whose favor executed	Nature and value of transaction	Description of the immovable property to which it relates	Particulars of Registration
Year Month Date	Name Father's name Caste Profession. Residence. Railway Station Sub District District and the Railway line If there be more than one, these particulars shall be given in respect to each of them	Name Father's name. Caste Profession Residence Railway Station Sub District District and the Railway line If there be more than one, these particulars shall be given in respect to each of them	Whether sale or mortgage, or release Rupees	The name of the Station, Railway line, Sub-District and District in which the immovable property is situate, in addition to its immediate boundaries shall be entered here Only that portion of the property which is situate in the Sub-District to which the memorandum is sent should be entered.	Registered No Date Month Year In book I. Vol pages. No.

Forwarded to Sub-Registrar of
under section

Date

Registrar or Sub-Registrar

APPENDIX No 2

Form of Endorsement under section 52, Act XVI of 1908.

This endorsement will be entered on every document presented for registration.

Presented at the office of the Registrar (or Sub-Registrar) of (name of place) on the (day of week), the (day of month) day of (name of month 18) between the hours of A M or (P M).

Signature of every person presenting } Signature of Registering Officer
the document

Form of Endorsement under section 58, Act XVI of 1908

1. When the person purporting to have executed the document is personally known to the Registering Officer, and admits the execution of the document and the receipt (if any) of the consideration stated in it

Execution admitted and receipt of consideration acknowledged, (if so),
 by (name), (profession) son of (name), (caste), resident
 of (name of place), Tahsil or Parganah , District
 who is personally known to the Registering officer

Executant's Signature	} Signature of Registering Officer
Profession	
Residence	

2. When the person purporting to have executed the document is not personally known to the Registering Officer, but admits the execution of the document and the receipt (if any) of the consideration stated in it —

Execution admitted and receipt of consideration acknowledged, (if so), by
 (name and profession), son of (caste), resident of (name of place),
 Tahsil or Parganah , District The said (name of
 executant), identified by (name and profession), son of , caste
 resident of , Tahsil , District
 , and by (name and profession), son of
 , caste , resident of Tahsil
 , District , these witnesses being
 personally known to the Registering Officer or to (name and profession), son of
 caste
 resident of , Tahsil , District

Signature	} of Executant and every other person examined	} Signature of Re- gistering Officer.
Profession		
Residence		

(NOTE.—When the executant admits execution of the document, but refuses to sign the endorsement, the Registering Officer will register the document, but endorse a note of such refusal, section 58)

3 When the execution is admitted by an agent

Executed by (name of executant), admitted by (name of agent), son of
 caste , resident of , Tahsil , District
 , who holds a duly authenticated Power-of-Attorney from (name of
 executant) The said (name of agent), identified by (name of profession)
 son of , caste , resident of
 , Tahsil , District , and
 by (name and profession) resident of , Tahsil
 District , these witnesses being personally known to the Registering
 Officer, or to (name and profession) , son of , caste
 resident of , Tahsil , District
 the latter being personally known to the Registering Officer.

Signature	} of the agent and every other person examined.	} Registering Officer
Profession		
Residence		

4. When the execution is admitted by a representative or assign :—

Execution by (name of executant), admitted by (name of representative or assign), son of , caste , resident of Tahsil District , of whose right to appear as (representative or assign) the Registering Officer is satisfied. The said (name of representative or assign) identified by (name and profession) son of , caste , resident of , tahsil , district , and by (name and profession), son of , caste , resident of tahsil , district , these witnesses being personally known to the Registering Officer, or to (name and profession), son of caste , resident of , tahsil , District , who is personally known to the Registering Officer.

Signature	..	} of representative or assign, and of every person examined	} Signature of Registering Officer
Profession	..		
Residence	..		

(NOTE.—When the Executant is dead, the fact should be noted in the endorsement)

5 When the document presented for registration is an instrument executed by any of the officers mentioned in section 88 —

Having satisfied myself, that this instrument was executed by A. B. Official Trustee (or as the case may be) in his official capacity, his attendance and signature are dispensed with and this instrument is admitted to registration.

Signature of Registering Officer.

Certificate under Section 60.

6 When the document presented for registration is a certified copy of a decree or order of a Civil Court, nothing beyond the endorsement under section 52 and certificate of registration under section 60 will be necessary.

Registered as No. in page or pages of volume
of Register Book No date



Signature of Registering Officer.

Form of authentication of Powers-of-Attorney authenticated under section 33.

1. When the principal attends at the Registration Office, or the Registering Officer goes to his house or to a jail.

2. This Power-of-Attorney has been executed in my presence by (name

of executant) who is a resident of my (district or sub-district), and is personally known to me, or is identified by and , who are known to me.



Signature of Registering Officer.

3 When a commission is issued to obtain evidence as to the voluntary nature of the execution —

I have satisfied myself, through (name of person to whom a commission was issued), to whom a commission was issued for the purpose, that this Power-of-Attorney was voluntarily executed by (name of executant), who is a resident of my (district or sub-district)



Signature of Registering Officer

(NOTE.—When the Registering Officer attends at a private residence or a jail, for the purpose of registering or authenticating a document, or issues a commission to obtain the necessary information to enable him to do so, the fact should be stated in the endorsement.)

REGISTRATION

Rules under section 69 of Act XVI of 1908.

The following rules which have been prepared under section 69 of the Indian Registration Act, 1908 (XVI of 1908), by the Commissioner, Ajmer-Merwara, as Inspector-General of Registration for the Railway areas mentioned opposite his name in column 1 of the schedule to the notification of the Government of India in the Foreign Department¹ No. 244-I B., dated the 25th January 1912, and have been approved by the Agent to the Governor General in Rajputana, are hereby published for general information.

These rules will have effect in the aforesaid areas from and after the 1st of April 1913.

Regarding safe custody of records and their destruction.

The office of the Registrar and Sub-Registrar will be supplied with a strong tin-lined box with a Chubb's lock. In this box the Register Books and all papers and instruments connected therewith shall be kept. No money or valuables of any kind shall be deposited in it. The box shall be placed in the room where the Registering Officer transacts his public business, and shall be opened and closed by that officer himself, or in his presence. When locked, the key shall be retained in his possession. He shall be responsible for the preservation and safe custody of all registration records, including those of previous years, which have accumulated in his office, or been transferred to it.

¹ Printed *supra* p. 180

2. The Registrar shall supply himself with a fire-proof safe. In the safe shall be kept sealed covers of Wills, which may be presented for deposit under section 43, and Wills which may be *opened and redeposited* under section 45 of Act XVI of 1908. Save as provided in rule 3, it shall not be used for any other purpose whatever. The key of the safe shall remain in the personal custody of the Registrar, who alone shall open or close the safe. The safe shall be kept where it cannot be affected by damp, and it shall be opened once a week at least, with the view of ascertaining that its contents (if any) are safe, and that the lock is in order.

3 All documents other than those deposited under sections 42 and 43 of Act XVI of 1908, and authorities to adopt, which subsequent to registration in the Registrar's Office are not claimed by the persons who presented them for registration, shall after the expiry of one month be deposited in the fire-proof safe of the Registrar's Office for safe custody and shall be surrendered only on payment of the fees prescribed by Article X of the Table of Fees. Unclaimed documents presented for registration in the office of the Sub-Registrar shall, on the expiry of one month, be sent to the Registrar of the District for safe custody in his fire-proof safe and shall only be surrendered in payment of the fees prescribed by the Article above mentioned.

4 The Sub-Registrar shall, at the close of each official year, report to his Registrar the different kinds of records, and the periods to which they belong, which he considers may be destroyed, and the Registrar, after examining all the reports of his district and recording his opinion thereon, shall add a report of the same description for his own office, and forward the whole for the orders of the Inspector-General, whom they should reach by the 1st of May. No records shall be destroyed except by the direction of the Inspector-General.

5 Inspection allowed under section 57 of Act XVI of 1908 shall be made in the presence of the Registering Officer, and without writing materials.

6 If the production of a Register Book, or of any document in the custody of a Registering Officer, be required by any Court, it shall be forwarded under charge of a responsible official and application shall be made to the Court for payment of his expenses.

7. *The languages which shall be deemed to be commonly used*—With reference to section 19 of the Act it is declared that the languages held to be commonly in use in the Registration district formed by the lands within the Rajputana-Malwa Railway limits in the Jodhpur and Sirohi States, are Urdu and Hindi, but documents presented for registration may be written in any language commonly in use in a district; in case, however, of the language being other than Urdu and Hindi, they must be accompanied by a true trans-

lation into Urdu and Hindi, and also by a true copy Documents written in English, when presented to a European officer or an officer knowing English, need not be accompanied by an Urdu and Hindi translation.

8. *Territorial Divisions*.—The territorial divisions to be recognised under section 21 are the Railway lands notified as sub-districts in column 2 of the schedule mentioned in rule 7 above. The names of these divisions shall be entered in all documents relating to houses and lands, in addition to the name of the railway station and the adjoining boundaries of the property.

9. *Fines*.—Fines under section 25 shall be levied according to the following scale when owing to urgent necessity or unavoidable accident, documents are presented for registration after the lapse of the four months allowed by section 23 or section 24. No registration fees shall be levied in addition to the fines.

Where the delay has not been more than one month	{	An amount equal to twice the proper registration fee
Where the delay has been more than one month, but not exceeding two months.	{	Three times the amount of the proper registration fee
More than two months, but not exceeding three months	{	Six times the amount of the proper registration fee
More than three months, but not exceeding four months	{	Ten times the amount of the proper registration fee

Additional fines levied under the proviso in section 34 shall be according to the same scale

10 Applications to the Inspector-General for remission, in whole or in part, of any fine levied under this rule shall be submitted through the Registrar, who shall endorse his own opinion thereon, and forward them for orders No such application shall be received or forwarded where the document has not already been registered and the fine or fines paid

11. *Administrations of oath*.—The discretion vested in Registering Officer by section 63 shall be used with reserve, and oaths administered only in exceptional cases

12 An oath administered to any person under section 63 includes an affirmation under section 6 of Act X of 1873.

13 Statements made on oath under section 63 shall not be recorded on the documents, but on separate sheets of paper They will form a record, and shall be filed in the Registry Office.

14 A note to the effect that recorded evidence has been taken shall be endorsed on the document and entered in the margin of the Register Book, in which the document is registered

15 *Form of memoranda*.—The form in which memoranda under sections 64, 65 and 66 shall be prepared is that given in the Appendix No 1 Blank lithographed forms will be supplied to each office on application to the Inspector-General

16 When the Registrar receives copy of an English document, which requires that memoranda be forwarded to Sub-Registrars who do not understand English, the memoranda shall be prepared in Urdu or Hindi.

17 *Authentication of Register Book*—Every entry made in the Register Books shall be an exact counterpart of the original, and shall be carefully compared with it; all interlineations, blanks, erasures or alterations, which appear in the original shall be shown in the copy entered in the Register. The Registering Officer shall satisfy himself that this has been done, verifying by his signature or initials any corrections rendered necessary by mere errors of transcription, but no such correction shall be made by an erasure or with a knife. The Registering Officer shall also see that the entry has been made in the book to which it properly belongs, that the number affixed to it is that which it ought to bear in order to maintain the consecutive series required by section 53, and that the book, the volume and the page entered in the certificate of registration are correctly stated; after which he shall authenticate the entry by legibly affixing his signature in full, together with his official designation at the end of the copy of document registered. Copies of endorsement shall also be initialed or signed by the Registering Officer. The entries shall be authenticated daily as they are made in the Register Books.

18 *Particulars to be contained in Indices Nos I, II, III, and IV.*—Index No. I is that in which section 55 requires that the names and additions of all persons executing, and of all persons claiming under every document entered into, or memorandum filed in Book No. 1, shall be entered.

It shall contain the following headings —

- | | |
|--|--|
| (1) Name of person | (8) Number of book |
| (2) Father's name | (7) Volume of book. |
| (3) Residence | (8) Page of book. |
| (4) Profession, trade, caste | (9) Letters under which other persons |
| (5) Interest in the transaction, <i>e g</i> ,
buyer, mortgagee, etc | interested in the transaction have
been entered |

19 Index No II is that in which by section 55 particulars mentioned in section 21, relating to every document entered or memorandum filed in Book No I, are to be entered. It shall contain the following headings —

- | | |
|---|--------------------------------------|
| (1) Name of Railway Station. | (5) Number of book in which document |
| (2) Name of Sub District | is registered |
| (3) Name of District and the Railway
line | (6) Volume of book |
| (4) Nature of transaction, <i>e g</i> , sale of
land, lease of house, mortgage of
land or house, etc, etc | (7) Page of book. |

20 Index No III is that in which section 55 requires the names and additions of all persons executing every Will and authority entered in book No III, and of the executors and persons respectively appointed thereunder, and after the death of the testator or donor (but not before), the names and additions of all persons claiming under the same shall be entered. It shall contain the headings prescribed for Index No I.

21. Index No. IV is that in which section 55 requires the names and additions of all persons executing and of all persons claiming under every document entered in Book No. IV to be entered. It shall contain the heading prescribed for Index No. I.

27. On the expiration of the calendar year, the remaining entries under each letter shall be copied and forwarded to the Registrar

28. In forwarding Index sheets the Sub-Registrar shall note at the foot of the last page of each sheet the date up to which it contains entries, and shall also attach their signature and the date of despatch.

29. The Registrar, on receipt of such sheets, shall file them under their appropriate letters in his Index file, and on receiving those containing the remaining entries for the year, shall file them also as above directed, and cause the whole, including those for his own office, to be properly bound into one or more volumes as may be expedient, with reference to volumes being of a convenient size.

30. *Holidays*.—The holidays to be observed in the Registration Offices shall be those which may be laid down by the Chief Commissioner, Ajmer-Merwara, for the Civil Courts in Ajmer-Merwara

GENERAL RULES

31. *Register Books*—Book No 1 is the register of non-testamentary documents relating to immoveable property. This book and the Indexes relating thereto are open to inspection, and copies of entries in them shall be given to all persons applying for them on payment of the prescribed fees. In this book shall be entered all documents registered under sections 17 and 18 which relate to immoveable property and are not Wills. It shall contain the following headings —

- (1) Value of stamp and copy of all endorsements made in the Registry office
- (2) Serial number of entry, and nature and value of transaction and amount of Registration and copying fees and of fines levied.
- (3) Copy of document
- (4) Note of certified copies of decrees and orders of Civil Courts. Copies of maps shall be pasted on to the first page of the entries to which they appertain.

32. When any document is registered in this book affecting some other document previously registered in it, a note referring to the later document should be entered in the left hand margin (heading No. 4) of the entry of the earlier document.

33. A supplementary volume of this register in the form of a file book shall be kept up in each office, for the purpose of filing (pasting) in copies and memoranda of instruments received from other offices under sections 64, 65, 66 and 67. This volume shall be called "Supplementary Book No 1," and shall be so designated in the Indexes in all entries relating to documents filed in it.

34. Book No 2 is the book in which reasons for refusing to register are to be recorded. It is also open to inspection, and copies of entries in it shall be given to all persons applying for them. When the Sub-Registrar

refuses to register a document, on the ground that the property to which it relates is not situate within his sub-district, he need not make an order of refusal, nor record his reason for refusal. It shall contain the following headings:—

- (1) Serial number and date.
- (2) Nature and value of transaction, and value of stamp
- (3) Reasons for refusal

35. Book No 3 is the register in which Wills and authorities to adopt are to be entered after they have been registered under section 41, also such Wills as have been opened under section 45. This book is not open to inspection, nor are its Indexes, but copies of entries in it or them shall on payment of prescribed fees be given to persons executing the documents to which the entries relate or to their agents, and after the death of the Executants (but not before) to any person applying for such copies, the search must be made by the Registering Officer only. When a Will entered in this book affects immoveable property situate in more districts or sub-districts than that where the entry has been made, no copy or memorandum of such Will need be sent to the Registering Officers of those districts or sub-districts. It shall contain the following headings:—

- (1) Value of stamp and copy of all endorsements made in the Registry office
- (2) Serial number of entry and nature of document and amount of fees levied
- (3) Copy of document

36 To prevent mistakes, it is here explained that every document making posthumous disposition of property is a Will, and should be entered in this book, and that a document which merely declares the fact of having adopted a son, or given a son for adoption, is not an "authority to adopt a son," and should not be entered in this book but in Book No 4.

37. Book No. 4 is the miscellaneous register in which are to be entered all documents registered under clauses (d) and (f) of section 18 which do not relate to immoveable property. It is not open to inspection nor are its Indexes; but copies of entries in it or them shall be given to any person executing or claiming under the documents to which such entries refer, on payment of the prescribed fees. The search must be made by the Registering Officer only. It shall contain the following headings:—

- (1) Value of stamp and copy of all endorsements made in the Registry Office
- (2) Serial number of entry and nature and value of transaction and amount of fees and fines levied
- (3) Copy of document.

38 Book No 5 is the register of deposits of Wills, and is to be kept only in the Office of the Registrar who alone can receive Wills in sealed covers for deposits. It shall contain the following headings:—

- (1) Serial number
- (2) Superscription on the sealed cover.
- (3) Inscription on the seal of the cover.
- (4) Time of presentation and receipt of the sealed cover. Year, month, day, hour.

- (6) Name of depositor of the sealed cover
- (6) Names of persons testifying to the identity of depositor.
- (7) Time of delivery of the sealed cover to applicant for withdrawal. Year, month, day, hour
- (8) Names of persons testifying to the identity of applicant at the time of delivery
- (9) Time of opening of the sealed cover Year, month, day, hour

39 In addition to the above books, there shall be kept in each Registering Office a Book No 6 for the purpose of recording brief abstracts of Powers-of-Attorney, authenticated under section 33. It shall contain the following headings.—

- (1) Number (in consecutive series), commencing and terminating with the year
- (2) Date (year, month, day)
- (3) Name and father's name of principal executing the power.
- (4) Name of attorney
- (5) Names of persons identifying the principal
- (6) Abstract of the contents of the power and amount of fees levied

Only Powers-of-Attorney to present documents for registration shall be recorded in this book and this is the only description of Power-of-Attorney which Registering Officers can authenticate under section 33. General Powers-of-Attorney can be authenticated under this section, only when they expressly contain authority to present documents for registration

40 If in any Registry office the number of documents to be registered be so large that there is difficulty in entering them day by day in the appropriate register, the Registering Officer shall be empowered by the Inspector General to keep up concurrently two volumes of either Register Book No 1 or No 4, the document bearing even numbers being entered in one volume, and those bearing odd numbers in the other

41. All documents shall be presented and registered at the Registration Office at the head-quarters of each district or sub-district, as the case may be, except in cases specially provided for by the Act.

42. Where Registering Officers have other duties to perform, a certain portion of each day shall be allotted exclusively to registration work. The time so set apart shall be made generally known, and a written notice of it exhibited in a conspicuous and accessible part of the building in which the Registry Office is located. The notice shall state the hours at which documents will be received and returned daily.

43. At the hours appointed in the notice, the Registering Officer shall personally receive all documents for which registration is sought, have them examined in his own presence, and if they are to be admitted, inform each party of the amount he has to pay, and as soon as it is paid, the receipt prescribed in section 52 shall be given to him. If in payment of the fees any party pay more than the exact amount due, the balance shall be returned to him at once

44. When the necessary endorsements have been recorded, the documents shall be made over to the Registry Moharrir, for the purpose of being entered

in their appropriate registers, and as soon as this has been done, the Moharrir shall return the documents to the Registering Officer, who shall retain them in his own possession until the time appointed for returning documents comes round, and then cause each to be delivered in his own presence to the proper party, the receipt given for it being at the same time taken back. If the party claiming to receive any document be other than the party to whom the receipt was granted, he must have been nominated in writing on the receipt by the original holder of it, as directed in section 61.

45. The receiving of documents or of money, the recording of endorsements and the returning of documents shall not be left to any Moharrir to do at any time or in the absence of the Registering Officer.

46. Registering Officers shall maintain a vigilant control over their Moharrirs, and not place them in closer contact with the public than is unavoidable.

47. When the Registering Officer is not personally acquainted with executants, he shall require them to produce some persons to testify to their identity who are personally known to him, or to other person whom he personally knows. He may also, if he think fit, cause descriptive rolls to be recorded of the persons representing themselves as executants, but this procedure must be in addition to, and not take the place of, the positive procedure required by section 34, that the Registering Officer shall satisfy himself of their identity, for it must be borne in mind that such descriptive rolls afford in themselves no proof of identity.

48. If the person presenting the document is an agent, he must produce a Power-of-Attorney executed in the presence of, and authenticated by a Registering Officer, as required by section 33 of the Act. If he is a representative or assign, he must produce evidence of his status.

49. *Endorsements*—Endorsements shall be written, as far as possible, in the language best understood by the party presenting the document for registration: that is to say, if he be a European, in English, if a Native, in Urdu or Hindi. The forms for endorsements appended, No. 2, shall be observed by all Registering Officers.

50. Endorsements shall always be written in the presence of the Registering Officer and of the executants of documents, or of the parties authorized to admit execution of them.

51. The fee prescribed for making a copy applied for under the Act shall be paid before the copy is prepared. Before granting an application for a copy the applicant should, therefore, be informed of the amount of fee leviable under Article IX of the Table of Fees prescribed by the notification of the Agent to the Governor-General in Rajputana,¹ No. ^{503 C} 1269, dated 29th March 1918.

¹ Printed *supra*, p. 182.

APPENDIX No 1.

Memorandum of document registered by (Registrar or Sub-Registrar)

Date of execution	Particulars relating to the Executant.	Particulars relating to the person in whose favour executed	Nature and value of transaction.	Description of the immovable property to which it relates	Particulars of registration
Year.	Name	Name	Whether sale or mortgage, or release.	The name of the station, Railway line, sub-district, and district in which the immovable property is situate, in addition to its immediate boundaries shall be entered here	Registered No.
Month.	Father's name	Father's name			Date.
Date	Caste	Caste			Month
	Profession	Profession			Year.
	Residence	Residence			In Book I.
	Railway Station	Railway Station		Only that portion of the property which is situate in the sub-district to which the memorandum is sent should be entered.	Vol. Pages No.
	Sub District	Sub District.			
	District and the Railway line	District and the Railway line			
	If there be more than one, these particulars shall be given in respect to each of them	If there be more than one, these particulars shall be given in respect to each of them			

Forwarded to Sub Registrar of
under section

Date

Registrar or Sub-Registrar,

APPENDIX No. 2.

Form of Endorsement under section 52, Act XVI of 1908.

This endorsement will be entered on every document presented for registration.

Presented at the office of the Registrar (or Sub-Registrar) of (name of place) on the (day of week), the (day of month), day of (name of month 18) between the hours of A.M. (or P.M.)

Signature of every person presenting } Signature of Registering Officer
the document.

Form of Endorsement under section 58, Act XVI of 1908.

1. When the person purporting to have executed the document is personally known to the Registering Officer, and admits the execution of the document and the receipt (if any) of the consideration stated in it.—

Execution admitted and receipt of consideration acknowledged, (if so), by
(name) (profession) son of (name), (caste), resident of
(name of place), Tahsil or Parganah, District
who is personally known to the Registering Officer.

Executant's Signature	} Signature of Registering Officer
Profession . . .	
Residence . . .	

2. When the person purporting to have executed the document is not personally known to the Registering Officer, but admits the execution of the document and the receipt (if any) of the consideration stated in it.—

Execution admitted and receipt of consideration acknowledged, (if so), by
(name and profession), son of (caste), resident of (name
of place), Tahsil or Parganah, District.
The said (name of executant), identified by (name and pro-
fession), son of

resident of , caste , tahsil , district

, and by (name and profession), son of
, caste , resident of
tahsil , district ; these witnesses
being personally known to the Registering Officer or to (name and pro-
fession) son of
caste resident of , tahsil

, district , the latter
being personally known to the Registering Officer

Signature	} of Executant and every other person examined	} Signature of Regis- tering Officer.
Profession . . .		
Residence . . .		

(NOTE.—When the executant admits execution of the document, but refuses to sign the endorsement, the Registering Officer will register the document, but endorse a note of such refusal, section 58.)

3. When the execution is admitted by an agent

Execution by (name of executant), admitted by (name of
agent), son of , caste , resident of
, tahsil
, district , who holds a duly authenticated
Power-of-Attorney from (name of executant) The said (name of agent),

identified by (name and profession)

son of _____, caste _____,
resident of _____, tahsil _____, district _____,
, and by (name and profession) _____ resident of _____
tahsil _____ district; these witnesses
being personally known to the Registering Officer, or to (name and profession)

_____, son of _____, caste _____,
resident of _____, tahsil _____, district _____
the latter being personally known to the Registering Officer
Signature . { of the agent and every } Signature of Register-
Profession . { other person examined } ing Officer.
Residence . { }

4. When the execution is admitted by a representative or assign —

Execution by (name of executant), admitted by (name of representative
or assign), son of _____, caste _____, resident of
tahsil _____, district _____, whose right to appear as
representative or assign) the Registering Officer is satisfied. The said
name of representative or assign) identified by (name and profession)
son of _____, caste _____

resident of _____, tahsil _____, district _____,
, and by (name and profession)
son of _____, caste _____, resident of
tahsil _____, district _____, these witnesses being
personally known to the Registering Officer, or to (name and
profession), son of _____, caste _____, resident of
tahsil _____, district _____, who is personally
known to the Registering Officer,

Signature . { of representative or assign, } Signature of Regis-
Profession . { and of every person examined. } tering Officer
Residence . { } (Sd/-)

(NOTE — When the executant is dead, the fact should be noted in the endorsement)

5 When the document presented for registration is an instrument
executed by any of the Officers mentioned in section 88 —

Having satisfied myself that this instrument was executed by A. B.
Official Trustee (or as the case may be) in his official capacity, his attendance
and signature are dispensed with, and this instrument is admitted to
registration.

Signature of Registering Officer.

Certificate under section 60.

6 When the document presented for registration is a certified copy of a decree or order of a Civil Court, nothing beyond the endorsement under section 52, and the certificate of registration under section 60 will be necessary.

Registered as No.
of Register Book No.

in page or pages
date

of volume



Signature of Registering Officer.

Form of authentication of Powers-of-Attorney authenticated under section 33.

1. When the principal attends at the Registration Office or the Registering Officer goes to his house or to a jail.

2. This Power-of-Attorney has been executed in my presence by (name of executant) who is a resident of my (district or sub-district), and is personally known to me, or is identified by _____ and _____, who are known to me.



Signature of Registering Officer.

3 When a commission is issued to obtain evidence as to the voluntary nature of the execution —

I have satisfied myself, through (name of person to whom a commission was issued), to whom a commission was issued for the purpose, that this Power-of-Attorney was voluntarily executed by (name of executant), who is a resident of my (district or sub-district)



Signature of Registering Officer.

(NOTE — When the Registering Officer attends at a private residence or a jail, for the purpose of registering or authenticating a document, or issues a commission to obtain the necessary information to enable him to do so, the fact should be stated in the endorsement)

[*Gazette of India*, 1918, Pt II, p 639.]

Formation of districts, and sub-districts and appointment of Registrars and Sub-Registrars in Railway lands in Central India

No. 487-B, dated the 17th March 1913.—Printed Vol. II, page 173.

Fees in Railway lands in Central India.

No. 514-B, dated the 24th March 1913 —Printed Vol. II, page 179.

Rules in Railway lands in Central India.

No. 488-B, dated the 17th March 1913 —Printed Vol. II, page 183.

Indian Paper Currency Act, 1910

Currency notes, other than universal notes which are legal tender

No. 263-I B, dated the 10th February 1913.—In pursuance of section 15 of the Indian Paper Currency Act, 1910 (II of 1910), as applied to the Rajputana and Central India Railway lands, the Governor-General in Council is pleased to direct that currency notes of the Bombay and Cawnpore circles of issue, as established for the time being under the Indian Paper Currency Act, 1910, shall be legal tender in the said lands, respectively, as noted below —

The Cawnpore circle . . . The Great Indian Peninsula Railway,
Midland Section.

(a) *The Bina-Agra portion.*

(b) *The Cawnpore Branch.*

(c) *The Manikpur Branch.*

The Bombay circle . . . All other Railway Lands
[*Gazette of India*, 1913, Pt I. p 136.]

SOUTH CENTRAL DIVISION

The railways of the South Central Division which lie in the Hyderabad State form part of the Administered Areas under the administration of the Resident at Hyderabad. Accordingly, the orders in force there under Acts locally applied and under Local Laws are entered *in extenso* in Volume III, Chapter I, and only references to them are given here.

Orders under Acts locally applied.

No. 80, dated the 22nd November 1899—Printed Vol III, page 1

No. 46, dated the 3rd August 1901—Printed Vol III, page 8

No. 2622-I.B., dated the 7th July 1905—Printed Vol III, page 9

No. B-J, dated the 8th January 1906.—Printed Vol. III, page 14

No. 44, dated the 14th September 1906—Printed Vol III, page 41

No. 51, dated the 25th July 1899—Printed Vol III, page 41

No. 84, dated the 22nd December 1899—Printed Vol III, page 45

No. 8610-I.A., dated the 8th December 1899—Printed Vol III, page 45

No. 20, dated the 20th March 1900.—Printed Vol III, page 45

No. 4446-I.B., dated the 25th September 1903—Printed Vol. III, page 54.

No. 1826-I.B., dated the 17th September 1909—Printed Vol III, page 56

No. 784-I.B., dated the 9th April 1913—Printed in Appendix XVIII

Court-fees Act, 1870

Scale of process fees

Payment for stamps to be made in Hali Sikka currency

Reductions and remissions of fees

Special Marriage Act 1872

Fees

Vaccination Act, 1880

Rules

Prorate and Administration Act, 1881

Courts authorised to receive applications

Indian Factories Act, 1881

Certifying Surgeon.

His fees

Factory Rules.

Factory Returns.

Negotiable Instruments Act, 1881.

Rules

Indian Railways Act, 1880

Rules—

(a) for working open lines and lines under construction, and
(b) regarding accidents
Delegation of powers to the Resident.

Secretary to
Railway Board em-
powered to sign
documents

No 802, dated the 24th March 1905—Printed in Appendix XVIII.

Epidemic Diseases
Act, 1897

Delegation of
powers to the
Resident

No 5041-I C., dated the 20th December 1906.—Printed in Appendix XVI.

Rules.

No. 9, dated the 30th January 1905—Printed Vol III, page 99.

Reformatory Schools
Act, 1897.

Instructions as to
sending youthful
offenders to
reformatories

No 349, dated the 7th November 1901.—Printed Vol. III, page 108

Yarowda
reformatory made
available.

No 1240, dated the 28th October 1898.—Printed Vol. III, page 108

Code of Criminal
Procedure, 1898

Post Mortem
examinations

No 65, dated the 11th September 1905. } —Printed Vol. III, pages 110
No 67, dated the 14th September 1905. } and 111.

Indian Stamp Act,
1899.

Reduction and
remission of duties.

No 51-I B., dated the 7th January 1910—Printed Vol. III, page 111

Conversion rates
for calculating
Stamp duty

No 2993-Ev, dated the 21st May 1908 } —Printed Vol. III, page 116.
No 943-I B., dated the 19th May 1910 }

Use of impressed and
adhesive stamps
First Assistant
Resident to be
Inspector General
of Stamps

No 943-I B., dated the 19th May 1910—Printed Vol. III, page 116.

No 4, dated the 16th January 1904—Printed Vol III, page 118

Indian Petroleum
Act, 1899.

No 38, dated the 29th June 1909—Printed Vol. III, page 118.

Calcium carbide
rules

No. 65, dated the 22nd July 1907—Printed Vol III, page 148

Powers of officers

No. 37, dated the 29th June 1909—Printed Vol III, page 161

Application of
provisions to
Calcium carbide

No. 428-I B., dated the 1st February 1907—Printed Vol III, page 162.

No. 20, dated the 7th June 1894—Printed Vol. III, page 162.

Standardization of
barometer for test
apparatus |

No. 48-J., dated the 10th May 1910.—Printed Vol III, page 168

Poisons Act, 1904.

Rules.

No. 801, dated the 24th March 1905

No. 9940, dated the 17th December 1906

No. 2972, dated the 8th April 1907

No. 2140, dated the 28th February 1908

} Printed in Appendix XVIII.

Indian Railway
Board Act, 1905

Powers of the
Railway Board.

Indian Registration
Act, 1908.

No. 5, dated the 16th January 1904.—Printed Vol. III, page 172.

First Assistant
Resident to be
Inspector-General
of Registration.

No. 12, dated the 5th May 1894.

No. 55, dated the 2nd October 1900.

} Printed Vol. III, page 174

Formation of
Registration District
and Sub District.

Appointment of
Registrar and Sub-
Registrar

No. 190, dated the 15th October 1883—Printed Vol. III, page 175

Rules.

No. 14, dated the 5th May 1894.—Printed Vol III, page 221

Fees

Cantonments Act,
1910

No. 2251-I B, dated the 20th October 1911—Printed Vol III,
page 264.

Exclusion of certain
railway lands from
the operation of the
Act in Secunderabad.

Indian Lunacy Act,
1912

No. 3802-I.B., dated the 14th October 1904

No. 809-I.A., dated the 11th April 1913.

} Printed Vol. III, page 267.

Admission of lunatics
to asylums in British
India.

Wild Birds and
Animals Protection
Act, 1912.

No. 102, dated the 23rd November 1912.—Printed Vol III, page 287.

Close time defined.

Orders under Local Laws.

Opium Rules, 1903.

Disposal of
confiscated articles.*No. 26, dated the 8th May 1903*—Printed Vol III, page 319.

Rewards

No. 27, dated the 8th May 1903.—Printed Vol. III, page 320.Intoxicating Drugs
Law, 1911.

Rules.

No. 65, dated the 21st June 1912.—Printed Vol III, page 349.

SOUTHERN DIVISION.

Orders under Acts locally applied.

Police Act, 1861.

No. 1250, dated the 11th March 1904—The Resident in Mysore is pleased to issue the following rules for the guidance of the police on the portions of the railways in Mysore under the jurisdiction of the British Government in the matter of arrest and prosecution of Railway employees under sections 101 and 131 of the Indian Railways Act, 1890 (Act IX of 1890)

Rules * for the guidance of the Police in the arrest and prosecution of Railway employees in Mysore

ARREST.

The exercise by the Railway Police of the power of arrest without warrant given them in section 131 of the Indian Railways Act (IX of 1890) for offences under section 101 of the same Act, is discretionary. It should be exercised only in extreme cases as for instance when—

- (a) there has been loss of life or serious injury to persons ; or
- (b) a person is caught in the commission of a grave offence ,
- (c) the accused is likely to abscond or to continue to endanger the safety of the public.

When arrest is made without warrant, immediate intimation of such arrest must be given to the head of the railway employé's Department.

2 Under ordinary circumstances, no immediate arrest is necessary. A warrant should be applied for in the usual manner, the police maintaining a watch over the movements of the accused, where this precaution is deemed necessary.

3 When arrest is effected by warrant, the warrant should in the absence of any direction to the contrary in the warrant under section 77 of the Code of Criminal Procedure, 1898, be executed by a Police officer of rank superior to that of a Head Constable, First Grade, or by any Station House Officer within his own limits. The officer entrusted with the execution of the warrant will execute it judiciously, and if the arrest is likely to cause risk or inconvenience to the public, make arrangements to prevent the escape of the accused and apply to the head of his department to have him relieved, arrest being deferred till he is so relieved.

* According to the classification on p 5 *supra*.

2 Under the terms of notification No. 507-I, dated the 6th February 1896 (printed p 121 *supra*) orders under Acts in force in the Civil and Military Station of Bangalore are in force in the railway lands in Mysore over which jurisdiction has been ceded, unless declared to the contrary. The orders now printed for Mysore are those which have been specially made for the railway lands

3 *Cf.* section 46 (2) (a) of the Police Act, 1861. Printed General Acts, Vol. I, Ed 1809, p. 370.

PROSECUTION.

No prosecution for an offence under section 101 of the Indian Railways Act (IX of 1890) shall be instituted by a Police officer without the sanction of the Superintendent of the Railway Police, which shall be communicated immediately it is accorded to the Agent or Manager of the Railway.

[*Gazette of India*, 1904, Pt. II, p. 305.]

Indian Explosives Act, 1884
Rules for the transport, manufacture, possession and sale of explosives on railways in Mysore.

Indian Railways Act, 1890

(a) Rules for working open lines of railway and lines under construction and regarding accidents

(b) Delegation of powers to the Resident

Definition of local limits of police stations

Taxes payable to local authorities by the Madras and Southern Mahratta Railway

No 43, dated the 1st June 1908.—Printed Vol. III, page 733.

No. 784-I B, dated the 9th April 1913.—Printed in Appendix XVIII

No 706, dated the 20th February 1897 —Printed *infra*, page 219.

No. 230, dated the 24th August 1911.—In pursuance of section 135 of the Indian Railways Act, 1890 (IX of 1890), and in supersession of all previous notifications on the subject, the Governor General in Council is pleased to declare that the Administration of the Madras and Southern Mahratta Railway shall be liable to pay, in aid of the funds of the local authorities set out in the schedule hereto annexed, the taxes specified against each in the second column thereof.

Schedule

Local authorities	Taxes
1	2
Bangalore Cantonment *	House, lighting, water and scavenging taxes. *
Bangalore City Municipality . . . *	House, lighting, water and conservancy taxes.
Mysore Municipality *	House and water taxes
Bangalore City Municipality . . *	House, water and lighting taxes. *

[*Gazette of India*, 1911, Pt I, p 700]

No. 802, dated the 24th March 1906 —Printed in Appendix XVIII.

Authority to the
Secretary to the
Railway Board to
sign documents

Epidemic Diseases
Act, 1897

No. 5041-I. C, dated the 20th December 1906.--Printed in Appendix
XVI

Delegation of powers
to the Resident.

Code of Criminal
Procedure, 1898

No 706, dated the 20th February 1897 —The Resident in Mysore is pleased to declare that for the purposes of the Code of Criminal Procedure (Act X of 1882)¹ and section 83 of the Indian Railways Act, IX of 1890, the location and limits of the police stations formed within the Railway lands in Mysore, jurisdiction over which has been ceded to the British Government, shall be as specified in the statement below —

JURISDICTION				Where located	Railway Stations included within the jurisdiction of the Police Stations
COMMENCING FROM		ENDING AT			
Mile and Telegraph post on the Railway.		Mile and Telegraph post on the Railway.			
Mile	Telegraph post	Mile	Telegraph post		
210 South distant signal of city station	18	190 On the Bangalore Harihar Section 164 On the Bangalore Hindupur Section 218 On the Madras Railway Section	18	Bangalore City	Golhalli Chick Benavai Yaswanpur Junction Rajankutti Yellahanka Bangalore City
218 Madras Railway	18	162	11	Bangalore Cantonment	Bangalore Cantonment. Krishnarajapuram Whitefield. Doddagundi Malar Tryal
182	11	163 Mysore Mines Terminus and the whole of the Kolar Gold Fields extension	5	Bowringpett	Bowringpett Kannanurmedana Hassanatham Oeggann Champion Rest Mysore Mines Terminus

¹ For the application of the Code of Criminal Procedure, 1898, see Vol. I. p. 206

JURISDICTION.				Where located	Railway Stations included within the jurisdiction of the Police Stations.
COMMENCEING FROM		ENDING AT			
Mile and Telegraph post on the Railway		Mile and Telegraph post on the Railway			
Mile	Telegraph post	Mile.	Telegraph post.		
190 Bangalore Harthahalli Section (Mysore State Railway)	"	190	"	Tumkur	Yelladbagi. Nittur. Gubbi. Tumkur. Hirihalli. Niduvandah. Dodshole.
190		98	6	Arsikere	Devuru. Banava. Arsikere. Konohat. Tiptur. Kareti. Banasaandra.
98		40		Kadur	Holihero. Ramegiri. Hosururga Road. Bivani. Ajampuri. Birur. Kadur.
40		80	0	Birur ¹	Harihar. Davangore. Tholalhanai. Kodaganur. Mayakonda. Sasalu. Chick Jajur.
154 Hindupur Section		110 Boundary Stone, Mysore, Anantapur	13	Dodballapur ¹	Dodlurugod. Goribidnur. Thondebavi. Mallidrug. Dodballapur.

Conduct of post mortem examinations

[*Gazette of India*, 1897, Pt II, p. 219]

No 5398, dated the 15th December 1897—Under the provisions of section 174 of the Code of Criminal Procedure, 1882,² the Resident is pleased, with the concurrence of the Mysore Darbar, to direct that the bodies of persons meeting with death, under any of the circumstances mentioned in the said section, within the Railway lands in Mysore territory, jurisdiction over which has been ceded to the British Government, may, when a *post mortem* examination is required, be forwarded either to the Medical Officer in charge of the nearest hospital in the said territory, for such examination, or to the Bowring Civil Hospital at Bangalore, whichever may be the more convenient.

2 Report of the result of *post mortem* examination in such cases will be forwarded to the Railway Magistrate direct.

[*Gazette of India*, 1897, Pt. II, p 1417]

¹ Substituted by notification No 4651-I, dated the 13th September 1900 *Gazette of India*, 1900, Pt II, p 1080

² See now the Code of Criminal Procedure, 1898 (Act V of 1898), as applied, Vol. I, p 895.

No. 52, dated the 19th July 1909 —Printed Vol. III, page 594.

Indian Petroleum
Act, 1899.

[Rules to regulate
the possession and
transport] of petro-
leum.

No. 41, dated the 8th July 1907 —Printed Vol. III, page 621.

[Ditto] of carbide
of calcium.

No. 64, dated the 4th October 1909 —Printed Vol. III, page 633

Grant of powers
under section 13

No. 1287-I A., dated the 10th April 1907 —Printed Vol. III, page 634.

Application of
certain provisions of
the Act to carbide
of calcium.

No. 533-I A., dated the 8th February 1907 —Printed Vol. III, page 634.

Previous publication
of rules.

No. 801, dated the 24th March 1905.

No. 9940, dated the 17th December 1906

No. 2972, dated the 8th April 1907.

No. 2140, dated the 28th February 1908.

} Printed in Appendix XVIII. Powers of the
Indian Railway
Board Act, 1905,
Railway Board

CALCUTTA
SUPERINTENDENT GOVERNMENT PRINTING, INDIA
8, HASTINGS STREET